



General Assembly

January Session, 2009

Raised Bill No. 909

LCO No. 3424

03424_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING TECHNICAL CHANGES TO ELECTION LAWS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-1 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Except as otherwise provided, the following terms, as used in this
4 title and sections 3-124, 7-5, 7-6, 7-7, 7-17, 7-20, 7-39, 7-157, 7-214, 7-275,
5 7-295, 7-343, 7-407, 8-1, 8-5, 8-19, 10-219, 11-36, 13a-11, 30-10, 30-11, 45a-
6 18, 45a-19 and 51-95 shall have the following meanings:

7 (a) ["Ballot label"] "Ballot" means paper or other material containing
8 the names of the candidates or a statement of a proposed constitutional
9 amendment or other question or proposition to be voted on;

10 (b) "Board for admission of electors" means the board as composed
11 under subsection (a) of section 9-15a;

12 (c) "Clerical error" means any error in the registry list or enrollment
13 list due to a mistake or an omission on the part of the printer or a
14 mistake or omission made by the registrars or their assistants;

15 (d) "Election" means any electors' meeting at which the electors
16 choose public officials by use of voting [machines] tabulators or by
17 paper ballots as provided in [sections 9-271 and] section 9-272;

18 (e) "Elector" means any person possessing the qualifications
19 prescribed by the Constitution and duly admitted to, and entitled to
20 exercise, the privileges of an elector in a town;

21 (f) Repealed by P.A. 77-298, S. 14;

22 (g) "Municipal clerk" means the clerk of a municipality;

23 (h) "Municipal election" means the regularly recurring election held
24 in a municipality at which the electors of the municipality choose
25 public officials of such municipality;

26 (i) "Municipality" means any city, borough or town within the state;

27 (j) "Official ballot" means the official ballot to be used at an election,
28 or the official [paper] ballot to be used thereat in accordance with the
29 provisions of [sections 9-271 and] section 9-272;

30 (k) "Population" means the population according to the last-
31 completed United States census;

32 (l) "Presidential electors" means persons elected to cast their ballots
33 for President and Vice President of the United States;

34 (m) "Print" means methods of duplication of words by mechanical
35 process, but shall not include typewriting;

36 (n) "Referendum" means (1) a question or proposal which is
37 submitted to a vote of the electors or voters of a municipality at any
38 regular or special state or municipal election, as defined in this section,
39 (2) a question or proposal which is submitted to a vote of the electors
40 or voters, as the case may be, of a municipality at a meeting of such
41 electors or voters, which meeting is not an election, as defined in
42 subsection (d) of this section, and is not a town meeting, or (3) a

43 question or proposal which is submitted to a vote of the electors or
44 voters, as the case may be, of a municipality at a meeting of such
45 electors or voters pursuant to section 7-7 or pursuant to charter or
46 special act;

47 (o) "Regular election" means any state or municipal election;

48 (p) "Registrars" means the registrars of voters of the municipality;

49 (q) "Registry list" means the list of electors of any municipality
50 certified by the registrars;

51 (r) "Special election" means any election not a regular election;

52 (s) "State election" means the election held in the state on the first
53 Tuesday after the first Monday in November in the even-numbered
54 years in accordance with the provisions of the Constitution of
55 Connecticut;

56 (t) "State officers" means the Governor, Lieutenant Governor,
57 Secretary of the State, Treasurer, Comptroller and Attorney General;

58 (u) "Voter" means a person qualified to vote at town and district
59 meetings under the provisions of section 7-6;

60 (v) "Voting district" means any municipality, or any political
61 subdivision thereof, having not more than one polling place in a
62 regular election;

63 (w) "Voting tabulator" means a machine, including, but not limited
64 to, a device which operates by electronic means, for the registering and
65 recording of votes cast at elections, primaries and referenda;

66 (x) "Write-in ballot" means a vote cast for any person whose name
67 does not appear on the official ballot as a candidate for the office for
68 which his name is written in;

69 (y) "The last session for admission of electors prior to an election"

70 means the day which is the seventh day prior to an election.

71 Sec. 2. Section 9-4 of the general statutes is repealed and the
72 following is substituted in lieu thereof (*Effective from passage*):

73 The Secretary of the State, in addition to other duties imposed by
74 law, shall, as such commissioner, (1) advise local election officials in
75 connection with proper methods of conducting elections and referenda
76 as defined in subsection (n) of section 9-1, and, upon request of a
77 municipal official, matters arising under chapter 99; (2) prepare
78 regulations and instructions for the conduct of elections, as designated
79 by law; (3) provide local election officials with a sufficient number of
80 copies of election laws pamphlets and materials necessary to the
81 conduct of elections; (4) distribute all materials concerning proposed
82 laws or amendments required by law to be submitted to the electors;
83 (5) recommend to local election officials the form of registration cards
84 and blanks; (6) determine, in the manner provided by law, the forms
85 for the preparation of voting [machines] tabulators, for the recording
86 of the vote and the conduct of the election and certification of election
87 returns; (7) prepare the ballot title or statement to be placed on the
88 ballot for any proposed law or amendment to the Constitution to be
89 submitted to the electors of the state; (8) certify to the several boards
90 the form of official ballots for state and municipal offices; (9) provide
91 the form and manner of filing notification of vacancies, nomination
92 and subsequent appointment to fill such vacancies; (10) prescribe,
93 provide and distribute absentee voting forms for use by the municipal
94 clerks; (11) examine and approve nominating petitions filed under
95 section 9-453o; and (12) distribute corrupt practices forms and provide
96 instructions for completing and filing the same.

97 Sec. 3. Subdivision (1) of subsection (a) of section 9-7b of the general
98 statutes is repealed and the following is substituted in lieu thereof
99 (*Effective from passage*):

100 (1) To make investigations on its own initiative or with respect to
101 statements filed with the commission by the Secretary of the State or

102 any town clerk, or upon written complaint under oath by any
103 individual, with respect to alleged violations of any provision of the
104 general statutes relating to any election or referendum, any primary
105 held pursuant to section 9-423, 9-425 or 9-464 or any primary held
106 pursuant to a special act, and to hold hearings when the commission
107 deems necessary to investigate violations of any provisions of the
108 general statutes relating to any such election, primary or referendum,
109 and for the purpose of such hearings the commission may administer
110 oaths, examine witnesses and receive oral and documentary evidence,
111 and shall have the power to subpoena witnesses under procedural
112 rules the commission shall adopt, to compel their attendance and to
113 require the production for examination of any books and papers which
114 the commission deems relevant to any matter under investigation or in
115 question. In connection with its investigation of any alleged violation
116 of any provision of chapter 145, or of any provision of section 9-359 or
117 section 9-359a, the commission shall also have the power to subpoena
118 any municipal clerk and to require the production for examination of
119 any absentee ballot, inner and outer envelope from which any such
120 ballot has been removed, depository envelope containing any such
121 ballot or inner or outer envelope as provided in sections 9-150a and 9-
122 150b and any other record, form or document as provided in section 9-
123 150b, in connection with the election, primary or referendum to which
124 the investigation relates. In case of a refusal to comply with any
125 subpoena issued pursuant to this subsection or to testify with respect
126 to any matter upon which that person may be lawfully interrogated,
127 the superior court for the judicial district of Hartford, on application of
128 the commission, may issue an order requiring such person to comply
129 with such subpoena and to testify; failure to obey any such order of the
130 court may be punished by the court as a contempt thereof. In any
131 matter under investigation which concerns the operation or inspection
132 of or outcome recorded on any voting [machine] tabulator, the
133 commission may issue an order to the municipal clerk to impound
134 such [machine] tabulator until the investigation is completed.

135 Sec. 4. Section 9-35c of the general statutes is repealed and the

136 following is substituted in lieu thereof (*Effective from passage*):

137 Notwithstanding the provisions of sections 9-238, 9-406 and 9-436
 138 and other provisions of the general statutes, the names of electors on
 139 the inactive registry list compiled under section 9-35 shall not be
 140 counted for purposes of computing the number of [voting machines
 141 required and the number of] petition signatures required. Each elector
 142 on such inactive registry list who, in the determination of the
 143 registrars, has signed a petition pursuant to the general statutes, giving
 144 the same address as appears on the inactive registry list, shall
 145 forthwith be placed on the active registry list compiled under said
 146 section 9-35. Each such elector shall be counted for purposes of future
 147 computations of the number of [voting machines required and the
 148 number of] signatures required on future petitions issued for other
 149 electoral events. The names of electors on the inactive registry list
 150 compiled pursuant to section 9-35 shall not be counted for purposes of
 151 computing the minimum percentage of the number of electors
 152 required in any charter or special act, if such charter or special act
 153 requires approval of a referendum by a minimum percentage of
 154 electors qualified on the last-completed registry list or has a similar
 155 requirement.

156 Sec. 5. Subsection (a) of section 9-135a of the general statutes is
 157 repealed and the following is substituted in lieu thereof (*Effective from*
 158 *passage*):

159 (a) Each absentee ballot shall be arranged to resemble the
 160 appropriate ballot [label] and sample ballot [label] as prescribed by
 161 law, and shall include, as applicable, the offices, party designations,
 162 names of candidates and questions to be voted upon and spaces for
 163 write-in votes. A replica of the state seal shall be printed on the ballot.
 164 The size, type, form, instructions, specifications for paper and printing
 165 and other specifications shall be prescribed by the Secretary of the
 166 State. [The Secretary of the State shall provide a ballot facsimile to each
 167 municipal clerk for use in preparing the ballot form.]

168 Sec. 6. Subsection (a) of section 9-135b of the general statutes is
169 repealed and the following is substituted in lieu thereof (*Effective from*
170 *passage*):

171 (a) Immediately after the deadline for certification of all candidates
172 whose names are to appear on the ballot, [label,] and in sufficient time
173 to begin issuing absentee ballots on the day prescribed by law, the
174 municipal clerk shall prepare the absentee ballots and have them
175 printed.

176 Sec. 7. Subsections (b) and (c) of section 9-150b of the general
177 statutes are repealed and the following is substituted in lieu thereof
178 (*Effective from passage*):

179 (b) If the absentee ballots were counted at the polls, when all
180 counting is complete the moderator shall publicly declare the result of
181 such count as provided in section 9-309 and add such count to the
182 results from the voting [machines] tabulators recorded on the
183 moderator's return. Such return shall show separately the [machine]
184 tabulator vote and the absentee vote and the totals thereof.

185 (c) If the absentee ballots were counted at a central location, when
186 all counting is complete the moderator shall publicly declare the result
187 of such count. He shall then deliver to the head moderator the central
188 counting moderator's returns, together with all other information
189 required by law or by the Secretary of the State's instructions. The head
190 moderator shall add the results from the voting [machines] tabulators,
191 recorded on the moderator's return for each polling place, to the
192 absentee count recorded on the central counting moderator's return for
193 the corresponding voting district, in the manner prescribed by the
194 Secretary of the State. The returns so completed shall show separately
195 the [machine] tabulator vote and the absentee vote and the totals
196 thereof.

197 Sec. 8. Section 9-150d of the general statutes is repealed and the
198 following is substituted in lieu thereof (*Effective from passage*):

199 A voting [machine] tabulator approved by the Secretary of the State
200 under section 9-242 may be used to count absentee ballots in any
201 municipality at an election, primary or referendum, provided the
202 registrars of voters of the municipality approve the use of such
203 [machine] tabulator and the Secretary of the State prescribes
204 specifications for (1) the security, testing, set-up, operation and
205 canvassing of the [machine] tabulator, (2) such absentee ballots, and (3)
206 the training of election officials in the use of the [machine] tabulator.

207 Sec. 9. Subsections (a) and (b) of section 9-168a of the general
208 statutes are repealed and the following is substituted in lieu thereof
209 (*Effective from passage*):

210 (a) Any provision of the general statutes to the contrary
211 notwithstanding, in any municipality in which, at any election, or
212 primary, as a result of the assembly, senatorial or congressional district
213 lines in effect, there is a voting district or a part of a voting district
214 which differs geographically from the district lines as constituted in a
215 municipal election year, the registrars of voters may either provide a
216 suitable polling place therein or may, in lieu thereof, with the approval
217 of the legislative body of the municipality, provide separate voting
218 [machines] tabulators in the polling place of another voting district in
219 said municipality for use by such electors. The registrars of voters shall
220 determine which polling place officials are necessary for such separate
221 [machines] tabulators and shall provide the procedure to ensure that
222 the electors use the proper voting [machine] tabulator, which
223 procedure may include the registrars of voters prescribing and
224 providing receipts.

225 (b) Any provision of the general statutes to the contrary
226 notwithstanding, in any municipality in which, at any election or
227 primary, as a result of the assembly, senatorial or congressional district
228 lines in effect, there is a voting district with less than one thousand five
229 hundred electors who vote for a combination of officers that no other
230 electors of the town vote for, the registrars of voters may either

231 provide a suitable polling place therein or may, in lieu thereof, provide
 232 separate voting [machines] tabulators in the polling place of another
 233 voting district in said municipality for use by such electors. If the
 234 registrars of voters provide separate voting [machines] tabulators in
 235 the polling place of another voting district, they shall determine which
 236 polling place officials are necessary for the district containing less than
 237 one thousand five hundred electors and shall provide the procedure to
 238 ensure that the electors use the proper voting [machines] tabulator,
 239 which procedure may include the registrars of voters prescribing and
 240 providing receipts.

241 Sec. 10. Section 9-188 of the general statutes is repealed and the
 242 following is substituted in lieu thereof (*Effective from passage*):

243 Unless otherwise provided by law each town shall, at its regular
 244 municipal election, elect a first selectman, who shall be town agent
 245 unless otherwise provided by law, and two other selectmen or, in the
 246 case of any town having a population of ten thousand or more, not
 247 more than six other selectmen. The selectmen so elected shall
 248 constitute the board of selectmen for such town. Unless otherwise
 249 provided by special act, charter or ordinance the votes cast, including
 250 any valid write-in votes, for an unsuccessful candidate for first
 251 selectman shall be counted as votes for him as a member of such
 252 board, provided no elector may be a candidate for both the office of
 253 first selectman and that of selectman by virtue of nomination by a
 254 major or minor party or a nominating petition or registration of write-
 255 in candidacy, or any combination thereof. The provisions of section 9-
 256 167a shall apply to the election of selectmen, except that when the total
 257 membership of such board is five, the maximum number who may be
 258 members of the same political party shall be three, and provided that
 259 for the purpose of determining minority representation, the total
 260 membership of such board shall be deemed to include the first
 261 selectman, unless otherwise provided by special act or charter. Unless
 262 otherwise provided by special act, charter or ordinance, an elector shall
 263 not vote for more candidates for the office of selectman than a political

264 party can elect pursuant to section 9-167a, provided that the number of
 265 such candidates that an elector can vote for shall be deemed to include
 266 the first selectman. If the electors fail to elect a first selectman at any
 267 election by reason of an equality of votes, such election for the office of
 268 first selectman and the election for selectmen shall stand adjourned
 269 and such adjourned election shall be held as provided in section 9-332.
 270 The [ballot labels] ballots used in such adjourned election shall contain
 271 only the names of the candidates for the offices of first selectman and
 272 selectman which appeared on the ballot [label] used in the election at
 273 which the tie vote resulted for the office of first selectman.

274 Sec. 11. Section 9-224 of the general statutes is repealed and the
 275 following is substituted in lieu thereof (*Effective from passage*):

276 If any special election is called to fill a vacancy in any office on the
 277 same day as a regular election, the names of the candidates for such
 278 office shall be placed on the same [voting machine] ballot as the names
 279 of the candidates to be voted for at such regular election, and except as
 280 otherwise specifically provided by statute, the provisions of the
 281 statutes governing regular elections shall apply to such special
 282 election.

283 Sec. 12. Subsection (b) of section 9-229 of the general statutes is
 284 repealed and the following is substituted in lieu thereof (*Effective from*
 285 *passage*):

286 (b) The Secretary of the State shall (1) request registrars of voters to
 287 volunteer to serve as instructors for moderators and alternate
 288 moderators, (2) select registrars from among such volunteers to serve
 289 as such instructors, (3) establish a curriculum for instructional sessions
 290 for moderators and alternate moderators, (4) establish the number of
 291 such instructional sessions, provided at least one such instructional
 292 session shall be held in each congressional district in each calendar
 293 year, (5) train the instructors for such sessions, and (6) certify
 294 moderators and alternate moderators. The curriculum for such
 295 instructional sessions shall include, without limitation, procedures for

296 counting and recording absentee ballots, "hands on" training in the use
 297 of voting [machines] tabulators, and the duties of a moderator in the
 298 conduct of a primary and election. The secretary may employ
 299 assistants on a temporary basis within existing budgetary resources for
 300 the purpose of implementing the provisions of this section. Such
 301 assistants shall not be subject to the provisions of chapter 67. The
 302 instructors shall conduct instructional sessions for moderators and
 303 alternate moderators in accordance with their training by the Secretary
 304 of the State and the curriculum for such sessions. Any elector may
 305 attend one or more of such instructional sessions. Each instructor shall
 306 provide the Secretary of the State with the name and address of each
 307 person who completes such a session.

308 Sec. 13. Section 9-234 of the general statutes is repealed and the
 309 following is substituted in lieu thereof (*Effective from passage*):

310 Each registrar shall be present during the taking of the vote at any
 311 regular or special state or municipal election in his town or district.
 312 The assistants in their respective districts shall, when requested by
 313 either registrar, be present at the taking of any such vote and discharge
 314 the duties of registrars. Each registrar shall appoint some suitable
 315 person to check the list in each district, unless the municipality has
 316 established two shifts for election officials under the provisions of
 317 section 9-258a, in which case each such registrar shall appoint one such
 318 person for each district for each shift. Each such person, who is so
 319 appointed checker, shall check the name of each elector thereon when
 320 he offers his vote, and no voting [machine] tabulator tender shall
 321 permit any vote to be cast upon the voting [machine] tabulator until
 322 the name has been so checked.

323 Sec. 14. Subsection (b) of section 9-235 of the general statutes is
 324 repealed and the following is substituted in lieu thereof (*Effective from*
 325 *passage*):

326 (b) Except for rows of candidates entitled to unofficial checkers
 327 under subsection (a) of this section, each group of three or more

328 electors whose names appear in one single row on the [voting
329 machine] ballot [label] in a voting district, may designate not more
330 than two electors of the town in which the voting district is located, to
331 serve as unofficial checkers on behalf of the candidates whose names
332 appear in such row. Such candidates shall submit a list of the names of
333 such designees to the registrars of voters at least forty-eight hours
334 prior to the election. The registrars shall verify that each such designee
335 is an elector of the town and shall appoint not more than two such
336 designees to serve each such row of candidates. The registrars shall, at
337 the request of such a group of three or more electors, change such
338 designations at any time before the closing of the polls on the day of an
339 election.

340 Sec. 15. Section 9-235d of the general statutes is repealed and the
341 following is substituted in lieu thereof (*Effective from passage*):

342 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258
343 to the contrary, a United States citizen who is sixteen or seventeen
344 years of age and a bona fide resident of a town may be (1) appointed as
345 a challenger or unofficial checker in an election, or (2) appointed as a
346 checker, translator or voting [machine] tabulator tender in an election
347 after (A) attending poll worker training, and (B) receiving the written
348 permission of a parent, guardian or the principal of the school that the
349 citizen attends if the citizen is a secondary school student and the
350 citizen is to be appointed to work on a day when such school is in
351 session.

352 (b) Notwithstanding any provision of section 9-436 or 9-436a to the
353 contrary, a United States citizen who is sixteen or seventeen years of
354 age and a bona fide resident of a town or political subdivision holding
355 a primary may be (1) appointed as a challenger or candidate checker in
356 the primary, or (2) appointed as a checker [, translator] or voting
357 [machine] tabulator tender in a primary after (A) attending poll worker
358 training, and (B) receiving the written permission of a parent, guardian
359 or the principal of the school that the citizen attends if the citizen is a

360 secondary school student and the citizen is to be appointed to work on
361 a day when such school is in session.

362 Sec. 16. Section 9-236a of the general statutes is repealed and the
363 following is substituted in lieu thereof (*Effective from passage*):

364 Any town, on its own initiative or upon a request by the Secretary of
365 the State, and with the approval of the legislative body of the town or,
366 in the case of a town in which the legislative body is a town meeting,
367 the board of selectmen, may require a spare voting [machine] tabulator
368 or ballot box to be provided inside any polling place or in a room
369 adjacent to the polling place, for the educational use of students from
370 kindergarten to grade twelve, inclusive. Upon such approval, the
371 registrars shall establish procedures for the use of the [machine]
372 tabulator or ballot box, including, but not limited to: (1) Location and
373 preparation of the [machine] tabulator or ballot box, (2) duties of
374 [machine] tabulator or ballot box tenders, and (3) canvassing the
375 returns. Any such machine shall be in addition to the demonstrator or
376 spare voting [machine] tabulator required by section 9-260. Ballots
377 completed by students under this section shall be unofficial, and
378 polling place officials shall not be required to handle or count such
379 ballots. Each student who will be using such [machine] tabulator or
380 ballot box inside a polling place or a room adjacent to the polling place
381 shall be accompanied by an adult. The supervisor of such students for
382 the purposes of this section shall submit the names of all adults who
383 will be working with such students to the registrars at least forty-eight
384 hours before the election.

385 Sec. 17. Section 9-238 of the general statutes is repealed and the
386 following is substituted in lieu thereof (*Effective from passage*):

387 (a) Except as provided in [sections 9-271 and] section 9-272, voting
388 [machines] tabulators shall be used at all elections held in any
389 municipality, or in any part thereof, for voting and registering and
390 counting votes cast at such elections for officers, and upon all
391 questions or amendments submitted at such elections. The board of

392 selectmen of each town, the common council of each city and the
393 warden and burgesses of each borough shall purchase or lease, or
394 otherwise provide, for use at elections in each such municipality a
395 number of voting tabulators approved by the Secretary of the State.
396 Different voting tabulators may be provided for different voting
397 districts in the same municipality. Notwithstanding any provision of
398 this subsection to the contrary, the registrars of voters of a
399 municipality may determine the number of voting tabulators that shall
400 be provided for use at any special election in such municipality,
401 provided the registrars shall provide at least one voting tabulator in
402 the municipality or, in a municipality divided into voting districts, at
403 least one voting tabulator in each such district.

404 (b) Upon the purchase or lease of a voting tabulator for use in any
405 municipality, the officials of such municipality purchasing or leasing
406 the same shall forthwith send notification in writing to the Secretary of
407 the State of the name or make of such tabulator, the name of the person
408 who manufactured the same, the name of the person from whom it
409 was purchased or leased and the date on which it was purchased or
410 leased. No voting tabulator shall be used in an election which, in the
411 opinion of the Secretary of the State, does not conform to the
412 requirements of law, is unsuitable for use in such election or does not
413 comply with the voluntary performance and test standards for voting
414 systems adopted by the Election Assistance Commission pursuant to
415 the Help America Vote Act, P.L. 107-252, 43 USC 15481. When in any
416 municipality the use of a voting tabulator at elections is discontinued
417 because of its age or condition or because it is sold, or for any other
418 reason, such officials shall send written notification to the Secretary of
419 the discontinuance of such tabulator, of the time of and reason for such
420 discontinuance and of the information required in connection with
421 notification of original purchasing or leasing.

422 Sec. 18. Section 9-238a of the general statutes is repealed and the
423 following is substituted in lieu thereof (*Effective from passage*):

424 During the first week of February in each year, the town clerk of
425 each town shall notify the Secretary of the State, on a form provided by
426 said secretary, of the total number of [names on the active registry list
427 and on each enrollment list and the total number of unaffiliated
428 electors, in such town, and of the total number of] voting [machines]
429 tabulators therein and, in towns divided into voting districts, in
430 addition, the same information for each voting district. If the number
431 of [machines] tabulators listed in such notification is less than the
432 number required under section 9-238, the town clerk shall include in
433 such notification an explanation of the discrepancy. Each such clerk
434 shall also file a duplicate copy of such notification with the officials
435 who are required to provide voting [machines] tabulators in his
436 municipality under section 9-238.

437 Sec. 19. Section 9-239 of the general statutes is repealed and the
438 following is substituted in lieu thereof (*Effective from passage*):

439 The fiscal authority in each municipality shall authorize payment of
440 the bill incurred for the purchase or lease or other method of
441 acquisition of an adequate number of voting [machines] tabulators
442 incurred by the officials responsible for providing the same under the
443 provisions of section 9-238.

444 Sec. 20. Section 9-240 of the general statutes is repealed and the
445 following is substituted in lieu thereof (*Effective from passage*):

446 The board of selectmen in each town, unless otherwise provided by
447 law, shall provide or may authorize the registrars to provide a suitable
448 room or rooms and voting [machine] booths for holding all elections.
449 The interior of the booths shall be secure from outside observation.
450 Said board shall provide for each polling place, in accordance with the
451 requirements of section 9-238, one or more voting [machines]
452 tabulators in complete working order, and shall preserve and keep
453 them in repair and have the custody of the voting [machines]
454 tabulators, and the care and custody of the furniture and equipment of
455 the polling place, when not in use at an election.

456 Sec. 21. Section 9-240a of the general statutes is repealed and the
457 following is substituted in lieu thereof (*Effective from passage*):

458 Not more than two hundred ten days nor less than thirty days prior
459 to each regular election for state officers, each voting [machine]
460 tabulator to be used in the next succeeding regular election, including
461 additional [machines] tabulators required under section 9-238, shall be
462 examined by the company which manufactured the same or its
463 successor or, with the approval of the Secretary of the State, by persons
464 skilled in the mechanics and operation of said [machines] tabulator, for
465 the purpose of determining that such [machine] tabulator is in sound
466 operable condition for use in such election. Arrangements for such
467 examination shall be made by the officials responsible for providing
468 voting [machines] tabulators under section 9-238. The company or
469 person making such examination shall file a report with respect to each
470 [machine] tabulator with the Secretary of the State and with said
471 officials, indicating whether or not such [machine] tabulator is in
472 sound operable condition. When, as a result of any such examination, a
473 [machine] tabulator is found not to be in sound operable condition,
474 said officials shall have such machine repaired, or shall provide a
475 voting [machine] tabulator in sound operable condition to replace the
476 [machine] tabulator found inoperable. The cost for such examination in
477 each town shall be paid by such town. Failure to cause the examination
478 of a voting [machine] tabulator, as herein required, shall not, of itself,
479 prevent the use of such [machine] tabulator in any election.

480 Sec. 22. Subsection (a) of section 9-241 of the general statutes is
481 repealed and the following is substituted in lieu thereof (*Effective from*
482 *passage*):

483 (a) Any person owning or holding an interest in any voting
484 [machine] tabulator, as defined in subsection (w) of section 9-1, may
485 apply to the Secretary of the State to examine such [machine] tabulator
486 and report on its accuracy and efficiency. The Secretary of the State
487 shall examine the [machine] tabulator and determine whether, in the

488 Secretary's opinion, the kind of [machine] tabulator so examined (1)
 489 meets the requirements of section 9-242, (2) can be used at elections,
 490 primaries and referenda held pursuant to this title, and (3) in the case
 491 of an electronic voting [machine] tabulator examined by the Secretary
 492 after the Voting Technology Standards Board submits the report
 493 required under section 9-242c, complies with the standards adopted by
 494 said board under section 9-242c. If the Secretary of the State determines
 495 that the [machine] tabulator can be so used, such [machine] tabulator
 496 may be adopted for such use. No [machine] tabulator not so approved
 497 shall be so used. Each application shall be accompanied by a fee of one
 498 hundred dollars and the Secretary of the State shall not approve any
 499 [machine] tabulator until such fee and the expenses incurred by the
 500 Secretary in making the examination have been paid by the person
 501 making such application. Any voting [machine] tabulator company
 502 that has had its voting [machine] tabulator approved and that
 503 subsequently alters such [machine] tabulator in any way shall provide
 504 the Secretary of the State with notice of such alterations, including a
 505 description thereof and a statement of the purpose of such alterations.
 506 If any such alterations appear to materially affect the accuracy,
 507 appearance or efficiency of the [machine] tabulator, or modify the
 508 [machine] tabulator so that it can no longer be used at elections,
 509 primaries or referenda held pursuant to this title, at the discretion of
 510 the Secretary of the State, the company shall submit such alterations
 511 for inspection and approval, at its own expense, before such altered
 512 [machines] tabulators may be used. The Secretary of the State may
 513 adopt regulations, in accordance with the provisions of chapter 54,
 514 concerning examination and approval of voting [machines] tabulators
 515 under this section. No voting [machine] tabulator that records votes by
 516 means of holes punched in designated voting response locations may
 517 be approved or used at any election, primary or referendum held
 518 pursuant to this title.

519 Sec. 23. Section 9-242 of the general statutes is repealed and the
 520 following is substituted in lieu thereof (*Effective from passage*):

521 [(a) A voting machine approved by the Secretary of the State shall
522 be so constructed as to provide facilities for voting for the candidates
523 of at least nine different parties or organizations. It shall permit voting
524 in absolute secrecy. It shall be provided with a lock by means of which
525 any illegal movement of the voting or registering mechanism is
526 absolutely prevented. Such machine shall be so constructed that an
527 elector cannot vote for a candidate or on a proposition for whom or on
528 which he is not lawfully entitled to vote.

529 (b) It shall be so constructed as to prevent an elector from voting for
530 more than one person for the same office, except when he is lawfully
531 entitled to vote for more than one person for that office, and it shall
532 afford him an opportunity to vote for only as many persons for that
533 office as he is by law entitled to vote for, at the same time preventing
534 his voting for the same person twice. It shall be so constructed that all
535 votes cast will be registered or recorded by the machine.

536 (c) Notwithstanding the provisions of subsection (b) of this section,
537 the Secretary of the State may approve a voting machine which
538 requires the elector in the polls to place his ballot into the recording
539 device and which meets the voluntary performance and test standards
540 for voting systems adopted by (1) the Federal Election Commission on
541 January 25, 1990, as amended from time to time, or (2) the Election
542 Assistance Commission pursuant to the Help America Vote Act of
543 2002, P.L. 107-252, 42 USC 15481-85, as amended from time to time,
544 whichever standards are most current at the time of the Secretary of
545 the State's approval, and regulations which the Secretary of the State
546 may adopt in accordance with the provisions of chapter 54, provided
547 the voting machine shall (A) warn the elector of overvotes, (B) not
548 record overvotes, and (C) not record more than one vote of an elector
549 for the same person for an office.]

550 [(d)] Any direct recording electronic voting [machine] tabulator
551 approved by the Secretary of the State for an election or primary held
552 on or after July 1, 2005, shall be so constructed as to:

553 (1) (A) Contemporaneously produce an individual, permanent,
 554 paper record containing all of the elector's selections of ballot
 555 preferences for candidates and questions or proposals, if any, prior to
 556 the elector's casting a ballot, as set forth in this subsection, and (B)
 557 produce at any time after the close of the polls a voting [machine]
 558 tabulator generated, individual, permanent, paper record of each such
 559 elector's selections of ballot preferences for candidates and questions
 560 or proposals, if any. Both the contemporaneously produced paper
 561 record and the voting [machine] tabulator generated paper record of
 562 each elector's selections of ballot preferences shall include a voting
 563 [machine] tabulator generated unique identifier that can be matched
 564 against each other and which preserves the secrecy of the elector's
 565 ballot as set forth in subdivision (4) of this subsection;

566 (2) Provide each elector with an opportunity to verify that the
 567 contemporaneously produced, individual, permanent, paper record
 568 accurately conforms to such elector's selection of ballot preferences, as
 569 reflected on the electronic summary screen, and to hear, if desired, an
 570 audio description of such electronic summary screen, for the purpose
 571 of having an opportunity to make any corrections or changes prior to
 572 casting the ballot. If an elector makes corrections or changes prior to
 573 casting the ballot, the voting [machine] tabulator shall void such
 574 contemporaneously produced paper record, contemporaneously
 575 produce another paper record containing such corrections or changes
 576 and provide the elector with another opportunity to verify ballot
 577 preferences in accordance with the provisions of this subdivision. As
 578 used in this section, "electronic summary screen" means a screen
 579 generated by a direct recording electronic voting [machine] tabulator
 580 that displays a summary of an elector's selections of ballot preferences
 581 for candidates and questions or proposals, if any, at an election or
 582 primary;

583 (3) Provide that a ballot shall be deemed cast on the voting
 584 [machine] tabulator at the time that an elector's contemporaneously
 585 produced, individual, permanent, voter-verified paper record,

586 containing all of the elector's final selections of ballot preferences, is
 587 (A) deposited inside a receptacle designed to store all such paper
 588 records produced by such voting [machine] tabulator on the day of the
 589 election or primary, and (B) the elector's selection of ballot preferences
 590 is simultaneously electronically recorded inside the voting [machine]
 591 tabulator for the purpose of (i) being electronically tabulated
 592 immediately after the polls are closed on the day of the election or
 593 primary, and (ii) producing, on such other day as required under
 594 section 9-242b, a voting [machine] tabulator generated, individual,
 595 permanent, paper record of each such elector's selections of ballot
 596 preferences for candidates and questions or proposals, if any;

597 (4) Except as otherwise provided in subdivision (1) of section 9-
 598 242b, secure the secrecy of each such elector's ballot by making it
 599 impossible for any other individual to identify the elector in
 600 relationship to such elector's selection of ballot preferences at the time
 601 that the elector (A) selects ballot preferences; (B) verifies the accuracy
 602 of the electronic summary screen by comparing it to the
 603 contemporaneously produced, individual, permanent, paper record or
 604 the audio description of such electronic summary screen, prior to
 605 casting a ballot; (C) makes corrections or changes by reselecting ballot
 606 preferences and verifies the accuracy of such preferences in accordance
 607 with the provisions of subdivision (2) of this subsection prior to casting
 608 a ballot; and (D) casts the ballot; and at the time that all electors' ballots
 609 are canvassed, recanvassed or otherwise tallied to produce a final
 610 count of the vote for candidates and questions or proposals, if any,
 611 whether through the electronic vote tabulation process or through the
 612 manual count process of each elector's contemporaneously produced,
 613 individual, permanent, voter-verified paper record, as set forth in
 614 section 9-242b; and

615 (5) (A) Be accessible to blind or visually impaired persons by
 616 providing each elector, if desired by the elector, an audio description
 617 of the contemporaneously produced individual, permanent, paper
 618 record containing all of the elector's selections of ballot preferences, in

619 addition to an audio description of the electronic summary screen and
620 comply with such additional standards of accessibility included in
621 regulations that the Secretary of the State may adopt in accordance
622 with the provisions of chapter 54.

623 (B) Notwithstanding the provisions of subparagraph (A) of this
624 subdivision, on or before June 30, 2007, the Secretary of the State may
625 approve an electronic voting [machine] tabulator that does not comply
626 with the provisions of said subparagraph if (i) the Secretary
627 determines that there are no electronic voting [machines] tabulators
628 available for purchase or lease at the time of such approval that are
629 capable of complying with said subparagraph (A), (ii) the electronic
630 voting [machine] tabulator complies with the provisions of
631 subdivisions (1) to (4), inclusive, of this subsection, and (iii) the person
632 applying to the Secretary for approval of the electronic voting
633 [machine] tabulator agrees to include a provision in any contract for
634 the sale or lease of such voting [machines] tabulators that requires such
635 person, upon notification by the Secretary that modifications to such
636 [machines] tabulators that would bring the [machines] tabulators into
637 compliance said subparagraph (A) are available, to (I) so modify any
638 electronic voting [machines] tabulators previously sold or leased under
639 such contract in order to comply with said subparagraph (A), and (II)
640 provide that any electronic voting [machines] tabulators sold or leased
641 after receipt of such notice comply with said subparagraph (A). No
642 voting [machine] tabulator approved under this subparagraph shall be
643 used on or after July 1, 2007, unless it has been modified to comply
644 with the provisions of subparagraph (A) of this subdivision.

645 Sec. 24. Section 9-242b of the general statutes is repealed and the
646 following is substituted in lieu thereof (*Effective from passage*):

647 The following procedures shall apply to any election or primary in
648 which one or more direct recording electronic voting [machines]
649 tabulators are used:

650 (1) Any elector who requires assistance by reason of blindness,

651 disability, or inability to read or write shall have the right to request
652 assistance inside the voting booth by a person of the elector's choice in
653 accordance with 42 USC 1973aa-6, as amended from time to time, or
654 section 9-264.

655 (2) A canvass of the votes shall take place inside the polling place
656 immediately following the close of the polls on the day of the election
657 or primary in accordance with the requirements of chapter 148. With
658 respect to direct recording electronic voting [machines] tabulators, any
659 such canvass shall be an electronic vote tabulation of all of the votes
660 cast on each such voting [machine] tabulator for each candidate and
661 question or proposal, and the moderator shall attach a printout of such
662 electronic vote tabulation to the tally sheets. The moderator shall then
663 add together all of the votes recorded on each voting [machine]
664 tabulator in use at the polling place, whether or not such voting
665 [machines] tabulators were direct recording electronic voting
666 [machines] tabulators, to produce a cumulative count within the
667 polling place of all candidates and any questions or proposals
668 appearing on the ballot in the election or primary. Any member of the
669 public shall have a right to be present in the polling place to observe
670 the canvass of the votes beginning as soon as the polls are declared
671 closed by the moderator and continuing throughout the canvass of the
672 votes of each voting [machine] tabulator until the final canvass of all of
673 the votes cast on all of the voting [machines] tabulators in use in the
674 polling place are added together for each candidate and question or
675 proposal and publicly announced and declared by the moderator.

676 (3) If a recanvass of the votes is required pursuant to chapter 148,
677 the recanvass officials shall, in addition to the other requirements of
678 said chapter, conduct a manual tally of the individual, permanent,
679 voter-verified, paper records contemporaneously produced by each
680 direct recording electronic voting [machine] tabulator used within the
681 geographical jurisdiction that is subject to such recanvass. The manual
682 tally conducted for the recanvass shall be limited to the particular
683 candidates and questions or proposals that are subject to recanvass. If

684 the manual tabulation of such contemporaneously produced paper
685 records does not reconcile with the electronic vote tabulation of a
686 particular direct recording electronic voting [machine] tabulator or
687 [machines] tabulators, such contemporaneously produced paper
688 records shall be considered the true and correct record of each elector's
689 vote on such electronic voting [machine] tabulator or [machines]
690 tabulators and shall be used as the official record for purposes of
691 declaring the official election results or for purposes of any subsequent
692 recanvass, tally or election contest conducted pursuant to chapters 148
693 to 153, inclusive. If any of the contemporaneously produced
694 individual, permanent, voter-verified paper records are found to have
695 been damaged in such manner as they are unable to be manually
696 tallied with respect to the ballot positions that are the subject of the
697 recanvass, each such damaged record shall be matched against the
698 voting [machine] tabulator generated, individual, permanent, paper
699 record produced by the voting [machine] tabulator bearing the
700 identical [machine-generated] tabulator-generated unique identifier as
701 the damaged record and, in such instance, shall be substituted as the
702 official record for purposes of determining the final election results or
703 for purposes of any subsequent recanvass, tally or election contest.

704 (4) Notwithstanding the provisions of section 9-311, the Secretary of
705 the State may order a discrepancy recanvass under said section of the
706 returns of an election or a primary for a district office, a state office or
707 the office of elector of President and Vice-President of the United
708 States, if the Secretary has reason to believe that discrepancies may
709 have occurred that could affect the outcome of the election or primary.
710 Any such discrepancy recanvass may be conducted of the returns in
711 any or all voting districts in (A) the district in which an election or
712 primary is held, in the case of an election or primary for a district
713 office, or (B) the state, in the case of an election or primary for a state
714 office or the office of elector of President and Vice-President of the
715 United States or a presidential preference primary, whichever is
716 applicable. As used in this subdivision, "district office" and "state
717 office" have the same meanings as provided in section 9-372.

718 (5) Not later than five business days after each election in which a
 719 direct recording electronic voting [machine] tabulator is used, the
 720 registrars of voters or their designees, representing at least two
 721 political parties, shall conduct a manual audit of the votes recorded on
 722 at least (A) two direct recording electronic voting [machines]
 723 tabulators used in each assembly district, or (B) a number of direct
 724 recording electronic voting [machines] tabulators equal to fifty per cent
 725 of the number of voting districts in the municipality, whichever is less.
 726 Not later than five business days after a primary in which a direct
 727 recording electronic voting [machine] tabulator is used, the registrar of
 728 voters of the party holding the primary shall conduct such a manual
 729 audit by designating two or more individuals, one of whom may be
 730 the registrar, representing at least two candidates in the primary. The
 731 [machines] tabulators audited under this subdivision shall be selected
 732 in a random drawing that is announced in advance to the public and is
 733 open to the public. All direct recording electronic voting [machines]
 734 tabulators used within an assembly district shall have an equal chance
 735 of being selected for the audit. The Secretary of the State shall
 736 determine and publicly announce the method of conducting the
 737 random drawing, before the election. The manual audit shall consist of
 738 a manual tabulation of the contemporaneously produced, individual,
 739 permanent, voter-verified, paper records produced by each voting
 740 [machine] tabulator subject to the audit and a comparison of such
 741 count, with respect to all candidates and any questions or proposals
 742 appearing on the ballot, with the electronic vote tabulation reported
 743 for such voting [machine] tabulator on the day of the election or
 744 primary. Such audit shall not be required if a recanvass has been, or
 745 will be, conducted on the voting [machine] tabulator. Such manual
 746 audit shall be noticed in advance and be open to public observation. A
 747 reconciliation sheet, on a form prescribed by the Secretary of the State,
 748 that reports and compares the manual and electronic vote tabulations
 749 of each candidate and question or proposal on each such voting
 750 [machine] tabulator, along with any discrepancies, shall be prepared
 751 by the audit officials, signed and forthwith filed with the town clerk of

752 the municipality and the Secretary of the State. If any
753 contemporaneously produced, individual, permanent, voter-verified,
754 paper record is found to have been damaged, the same procedures
755 described in subdivision (3) of this section for substituting such record
756 with the voting [machine] tabulator generated, individual, permanent,
757 paper record produced by the voting [machine] tabulator bearing the
758 identical [machine] tabulator generated unique identifier as the
759 damaged record shall apply and be utilized by the audit officials to
760 complete the reconciliation. The reconciliation sheet shall be open to
761 public inspection and may be used as prima facie evidence of a
762 discrepancy in any contest arising pursuant to chapter 149. If the audit
763 officials are unable to reconcile the manual count with the electronic
764 vote tabulation and discrepancies, the Secretary of the State shall
765 conduct such further investigation of the voting [machine] tabulator
766 malfunction as may be necessary for the purpose of reviewing whether
767 or not to decertify the voting [machine] tabulator or [machines]
768 tabulators and may order a recanvass in accordance with the
769 provisions of subdivision (4) of this section.

770 (6) The individual, permanent, voter-verified, paper records
771 contemporaneously produced by any direct recording electronic
772 voting [machine] tabulator in use at an election or primary held on or
773 after July 1, 2005, shall be carefully preserved and returned in their
774 designated receptacle in accordance with the requirements of section 9-
775 266, 9-302 or 9-310, whichever is applicable, and may not be opened or
776 destroyed, except during recanvass or manual audit as set forth in this
777 section, for one hundred eighty days following an election or primary
778 that does not include a federal office, pursuant to section 9-310, or for
779 twenty-two months following an election or primary involving a
780 federal office, pursuant to 42 USC 1974, as amended from time to time.

781 (7) Nothing in this section shall preclude any candidate or elector
782 from seeking additional remedies pursuant to chapter 149.

783 (8) After an election or primary, any voting [machine] tabulator may

784 be kept locked for a period longer than that prescribed by sections 9-
 785 266, 9-310 and 9-447, if such an extended period is ordered by either a
 786 court of competent jurisdiction, the Secretary of the State or the State
 787 Elections Enforcement Commission. Either the court, the Secretary of
 788 the State or said commission may order an audit of such voting
 789 [machines] tabulators to be conducted by such persons as the court, the
 790 Secretary of the State or said commission may designate.

791 Sec. 25. Section 9-244 of the general statutes is repealed and the
 792 following is substituted in lieu thereof (*Effective from passage*):

793 (a) Such registrars of voters shall give written notice to the
 794 chairpersons of the town committees of the political parties of the day
 795 and place a [mechanic or mechanics] registrar or registrars will begin
 796 the preparation, test voting and sealing of the [machines] tabulators for
 797 the election, including any additional [machines] tabulators required
 798 under section 9-238. Such notice shall be given at least one day before
 799 the work on the preparation of such [machines] tabulators begins.

800 (b) Each such chairperson and any candidate for an office appearing
 801 on the ballot may be present, or may designate a watcher who may be
 802 present, during the preparation of such [machines] tabulators, but such
 803 chairpersons, candidates and watchers shall not interfere with, or
 804 assist in, the preparation of the [machines] tabulators.

805 (c) After the [mechanic or mechanics] registrar or registrars have
 806 prepared the [machines, (1)] tabulators, the registrars of voters, or their
 807 designees [, who shall not include any such mechanics, and (2) all
 808 mechanics who prepared such machines shall be present together
 809 when the machines are tested and sealed] shall test and seal such
 810 tabulators for use in the election. The chairpersons of the town
 811 committees of the political parties and any candidate for an office
 812 appearing on the ballot may also be present, or may designate a
 813 watcher who may be present, during the testing and sealing, but such
 814 chairpersons, candidates and watchers shall not interfere with the
 815 testing or sealing. All such persons who are present for the testing and

816 sealing of the [machines, except the mechanics,] tabulators shall file a
 817 written report, as provided in section 9-245, certifying [(A)] (1) to the
 818 numbers of the [machines] tabulators, [(B)] (2) as to whether all the
 819 candidate and question counters are set at zero (000), [(C)] (3) as to the
 820 numbers registered on the protective counters, if provided, and the
 821 numbers on the seals, [(D)] (4) that the ballot [labels] are properly
 822 [placed on the machines] prepared, and [(E)] (5) that the [machines]
 823 tabulators have been test-voted and found to be working properly.

824 Sec. 26. Section 9-245 of the general statutes is repealed and the
 825 following is substituted in lieu thereof (*Effective from passage*):

826 The reports of the [mechanics] registrars of voters, provided for
 827 under section 9-246, and the report provided for under subsection (c)
 828 of section 9-244, shall be filed with the municipal clerk and shall be
 829 kept by the municipal clerk for at least sixty days after the election for
 830 which the [machines] tabulators were so prepared.

831 Sec. 27. Section 9-246 of the general statutes is repealed and the
 832 following is substituted in lieu thereof (*Effective from passage*):

833 (a) The [mechanic or mechanics] registrar or registrars shall file a
 834 written report of the condition of each [machine] tabulator certifying
 835 that (1) they have prepared the [machines] tabulators, (2) all the
 836 counters are set at zero (000), (3) all the ballot [labels] are properly
 837 placed thereon, (4) the [grouping mechanism] tabulator has been
 838 properly adjusted according to the [ballot labels] ballots, and (5) each
 839 [machine] tabulator is otherwise in readiness for the election. This
 840 report shall include the number of each [machine] tabulator and a
 841 statement of any defects or features of the [machine] tabulator that
 842 need attention or correction. The [mechanic or mechanics] registrar or
 843 registrars shall also place upon each of the [machines] tabulators a
 844 numbered [metal] seal, secured in such a way that, before any
 845 movement of the registering or voting mechanism can be effected,
 846 such seal will be destroyed or broken. All voting [machines] tabulators
 847 shall be transferred to the polling places in charge of an elector

848 authorized by the registrars of voters under whose direction the voting
 849 [machines] tabulators are to be prepared, as provided in section 9-240a;
 850 and such elector shall certify to their delivery in good order.
 851 Additional [machines] tabulators required under section 9-238 shall be
 852 so located by the registrars of voters as to be available for immediate
 853 transfer to the polling places within the municipality. The [mechanic or
 854 mechanics] registrar or registrars shall have custody of the keys of the
 855 voting [machines only when they are at work on such machines, and
 856 immediately thereafter such keys shall be returned to the municipal
 857 clerk. The return of such keys shall, in each case, be made before the
 858 day of election] tabulators.

859 (b) The [mechanic or mechanics] registrar or registrars shall file a
 860 written report detailing any repairs made to a [machine] tabulator on
 861 the day of an election. This report shall certify (1) the number of the
 862 [machine] tabulator, (2) the time when the problem occurred, (3) a
 863 summary description of the work performed, and (4) that no repairs
 864 were made to the [machine] tabulator, after any vote was cast on the
 865 day of an election, that would affect the manner in which votes were
 866 recorded on the [machine] tabulator.

867 Sec. 28. Section 9-247 of the general statutes is repealed and the
 868 following is substituted in lieu thereof (*Effective from passage*):

869 The registrars of voters shall, before the day of the election, cause
 870 the [mechanic or mechanics to insert on each machine the ballot labels
 871 corresponding with the sample diagrams provided and to put each
 872 such machine in order in every way and set and adjust the same so
 873 that it shall be] test ballots to be inserted in each machine to ensure that
 874 each tabulator is prepared and ready for use in voting when delivered
 875 at the polling place. Such registrars shall cause the [machine] tabulator
 876 so [labeled] prepared, in order and set and adjusted, to be delivered at
 877 the polling place, together with all necessary furniture and appliances
 878 that go with the same, at the room where the election is to be held, not
 879 later than six o'clock in the afternoon of the day preceding the election.

880 [Each voting machine shall be furnished with light sufficient to enable
881 electors while voting to read the ballot labels and suitable for use by
882 the election officials in examining the counters. A pencil shall also be
883 provided, within each voting machine, for use in casting a write-in
884 ballot.]

885 Sec. 29. Section 9-248 of the general statutes is repealed and the
886 following is substituted in lieu thereof (*Effective from passage*):

887 When a voting [machine] tabulator is purchased or leased or
888 otherwise provided for use in any municipality, the Secretary of the
889 State shall prepare or approve samples of the following printed matter
890 and supplies and shall furnish one of each to the officials of such
891 municipality who have so provided such [machine] tabulator in
892 accordance with the provisions of section 9-238: (1) Directions for
893 testing and preparing the voting [machines] tabulators for the election;
894 (2) one certificate on which the [mechanic] registrars of voters can
895 certify that [he has] they have properly tested and prepared the
896 [machine] tabulator for the election; (3) one certificate on which some
897 person other than the [mechanic] registrar of voters who prepared the
898 [machine] tabulator can certify that the [machine] tabulator has been
899 examined and found to have been properly prepared for the election;
900 (4) one certificate on which can be certified that party watchers have
901 witnessed the testing and preparing of the [machines] tabulators; (5)
902 one certificate that the [machines] tabulators have been delivered to
903 polling places in good order; (6) one card for each polling place, stating
904 the penalty for tampering with or injuring a voting [machine]
905 tabulator; (7) two seals for sealing the [machine] tabulator; [(8) one
906 envelope in which the keys to the machine can be sealed and delivered
907 to the election officials, such envelope to have printed or written
908 thereon the designation and location of the voting district in which the
909 machine is to be used, the number of the machine, the number shown
910 on the protective counter thereof after the machine has been prepared
911 for the election and the number or other designation on such seal as
912 the machine is sealed with, such envelope to have attached to it a

913 detachable receipt for the delivery of the keys to the voting machine to
 914 the election officials; (9) one envelope in which the keys to the voting
 915 machine can be returned by the election officials after the election; (10)
 916 one card stating the name and telephone number and address of the
 917 mechanic on the day of the election; and (11)] and (8) a report of an
 918 inspection of the [machines] tabulators by the moderator, registrars
 919 and checkers, which inspection shall be made before the opening of the
 920 polls. The [municipal clerk] registrar of voters shall, for each election,
 921 prepare and furnish said supplies for each voting [machine] tabulator,
 922 in conformity with said samples. The [municipal clerk] registrar of
 923 voters shall also prepare and furnish to the election officials tally and
 924 return blanks [containing the names of all candidates for office on the
 925 official ballots,] in such manner as may be directed by the Secretary of
 926 the State, except that all blanks furnished by said secretary throughout
 927 the state shall be uniform in their printing.

928 Sec. 30. Subsection (a) of section 9-249 of the general statutes is
 929 repealed and the following is substituted in lieu thereof (*Effective from*
 930 *passage*):

931 (a) Before each election, the registrars of voters [,] and certified
 932 moderator [and certified mechanic] shall instruct the election officials.
 933 Any provision of the general statutes or of any special act to the
 934 contrary notwithstanding, election officials shall be appointed at least
 935 twenty days before the election except as provided in section 9-229.
 936 The registrars [,] and certified moderator [and certified mechanic] shall
 937 instruct each election official who is to serve in a voting district in
 938 which a voting [machine] tabulator is to be used in the use of the
 939 [machine] tabulator and his duties in connection therewith, and for the
 940 purpose of giving such instruction, such instructors shall call such
 941 meeting or meetings of the election officials as are necessary. Such
 942 instructors shall, without delay, file a report in the office of the
 943 municipal clerk and with the Secretary of the State, (1) stating that they
 944 have instructed the election officials named in the report and the time
 945 and place where such instruction was given, and (2) containing a

946 signed statement from each such election official acknowledging that
947 the official has received such instruction.

948 Sec. 31. Subsection (a) of section 9-249a of the general statutes is
949 repealed and the following is substituted in lieu thereof (*Effective from*
950 *passage*):

951 (a) The names of the parties shall be arranged on the [machines]
952 ballots in the following order:

953 (1) The party whose candidate for Governor polled the highest
954 number of votes in the last-preceding election;

955 (2) Other parties who had candidates for Governor in the last-
956 preceding election, in descending order, according to the number of
957 votes polled for each such candidate;

958 (3) Minor parties who had no candidate for Governor in the last-
959 preceding election;

960 (4) Petitioning candidates with party designation whose names are
961 contained in petitions approved pursuant to section 9-453o, and

962 (5) Petitioning candidates with no party designation whose names
963 are contained in petitions approved pursuant to section 9-453o.

964 Sec. 32. Subsection (a) of section 9-249b of the general statutes is
965 repealed and the following is substituted in lieu thereof (*Effective from*
966 *passage*):

967 (a) If, after applying the provisions of sections 9-249a and 9-453r, the
968 number of party designations and petitioning candidate rows on the
969 ballot exceeds nine, the Secretary of the State may authorize (1) two or
970 more party designations and petitioning candidates to appear on the
971 same row of the [voting machines] ballot, beginning with the ninth
972 row on the [voting machines] ballot and, if necessary, then moving up
973 one or more rows, (2) that an office take two or more columns on the

974 [voting machines] ballot, and (3) that the party designation, or an
975 abbreviation of it, be repeated on the ballot.

976 Sec. 33. Section 9-250a of the general statutes is repealed and the
977 following is substituted in lieu thereof (*Effective from passage*):

978 When a political party has failed to nominate a candidate for any
979 office for which it is entitled to make such nomination, the space on the
980 ballot [label] in which the name of the party's candidate would appear
981 shall be left blank.

982 Sec. 34. Section 9-251 of the general statutes is repealed and the
983 following is substituted in lieu thereof (*Effective from passage*):

984 In the preparation of [ballot labels] ballots for use at a state election
985 precedence shall be given to the offices to be voted for at such election
986 in the following descending order: Presidential electors, Governor and
987 Lieutenant Governor, United States senator, representative in
988 Congress, state senator, state representative, Secretary of the State,
989 Treasurer, Comptroller, Attorney General and judge of probate. In the
990 preparation of [ballot labels] ballots for use at a municipal election,
991 unless otherwise provided by law, the order of the offices shall be as
992 prescribed by the Secretary of the State, which order, so far as
993 practicable, shall be uniform throughout the state.

994 Sec. 35. Section 9-255 of the general statutes is repealed and the
995 following is substituted in lieu thereof (*Effective from passage*):

996 The board of selectmen or the municipal clerk shall provide for all
997 polling places using voting [machines] tabulators at least three sample
998 [ballot labels which shall be arranged in the form of a diagram
999 showing the entire front of the voting machine as it will appear after
1000 the official ballot labels are arranged for voting on election day or that
1001 portion thereof which will] ballots that shall contain the offices, party
1002 designations, names of candidates, write-in slots and questions to be
1003 voted upon. On each such sample ballot [label] shall be printed

1004 instructions as to the use of the voting [machine] tabulator, which
 1005 instructions shall be approved by the Secretary of the State. Such
 1006 sample ballot [labels] shall be so posted inside the polling place as to
 1007 be visible to those within the polling place during the whole day of
 1008 election. At least one of such sample ballot [labels] shall be so posted as
 1009 to be visible to an elector being instructed on the [demonstrator or
 1010 spare voting machine] use of the voting tabulator under section 9-260.

1011 Sec. 36. Section 9-256 of the general statutes is repealed and the
 1012 following is substituted in lieu thereof (*Effective from passage*):

1013 The clerk of each municipality shall, not less than ten days prior to
 1014 an election, file with the Secretary of the State a sample ballot [label]
 1015 identical with those to be provided for each polling place under section
 1016 9-255. The Secretary of the State shall examine the sample ballot [label]
 1017 required to be filed under this section, and if such sample ballot [label]
 1018 contains an error, the Secretary of the State shall order the municipal
 1019 clerk to reprint a corrected sample ballot [label] or to take other such
 1020 action as the secretary may deem appropriate.

1021 Sec. 37. Section 9-260 of the general statutes is repealed and the
 1022 following is substituted in lieu thereof (*Effective from passage*):

1023 A [metal] demonstrator [machine or spare voting machine] device
 1024 shall be provided inside the polling place for the instruction of electors.
 1025 [Any such spare voting machine shall not be used for voting and shall
 1026 be provided in addition to any additional voting machines required
 1027 pursuant to section 9-238.] Any such demonstrator [machine shall
 1028 represent at least five office columns of the two upper rows on the
 1029 voting machine. Such demonstrator or spare voting machine shall
 1030 contain, in each space provided for the name of a party, the
 1031 designation "name of party", in each space provided for the name of a
 1032 candidate, the designation "name of candidate", in each space
 1033 provided for the name of an office, the designation, "office", and in
 1034 each space provided for a question, the designation, "Question-
 1035 Statement of Question-Yes-No". A spare voting machine provided for

1036 the purposes of this section shall contain, in the upper left-hand corner,
 1037 directly opposite the write-in slides, the designation "write-in slides".
 1038 The party levers on such demonstrator or spare voting machine shall
 1039 be covered. At a primary, each space provided for a question shall be
 1040 left blank] device shall instruct electors on the proper method to cast
 1041 their vote, including the proper method to cast a write-in vote using
 1042 the voting equipment located in each polling place. Upon request by
 1043 any elector who desires instruction after he has entered the polling
 1044 place and prior to casting his vote, two election officials of different
 1045 political parties jointly shall instruct such elector on the demonstrator
 1046 [or spare voting machine by causing such elector himself to operate the
 1047 parts of such demonstrator or spare voting machine] device.

1048 Sec. 38. Section 9-264 of the general statutes is repealed and the
 1049 following is substituted in lieu thereof (*Effective from passage*):

1050 [(a)] An elector who requires assistance to vote, by reason of
 1051 blindness, disability or inability to write or to read the ballot, may be
 1052 given assistance by a person of the elector's choice, other than (1) the
 1053 elector's employer, (2) an agent of such employer or (3) an officer or
 1054 agent of the elector's union. The person assisting the elector may
 1055 accompany the elector into the voting [machine] booth. Such person
 1056 shall register such elector's vote upon the [machine] ballot as such
 1057 elector directs. Any person accompanying an elector into the voting
 1058 [machine] booth who deceives any elector in registering his vote under
 1059 this section or seeks to influence any elector while in the act of voting,
 1060 or who registers any vote for any elector or on any question other than
 1061 as requested by such elector, or who gives information to any person
 1062 as to what person or persons such elector voted for, or how he voted
 1063 on any question, shall be fined not more than one thousand dollars or
 1064 imprisoned not more than five years or both.

1065 [(b)] Paper ballots provided by the municipal clerk to the moderator
 1066 pursuant to section 9-259 shall be made available for electors with
 1067 disabilities in polling places in which a voting machine cannot be

1068 adjusted to allow all necessary parts to be reached from a chair. Such
 1069 paper ballots shall be used at the option of the elector with disabilities.
 1070 The elector shall announce the elector's name to the checkers who shall
 1071 cross the elector's name off the registry list and add it with the elector's
 1072 address to the end of the official checklist where it shall be designated
 1073 "paper ballot for persons with disabilities" or "PBD" and serially
 1074 numbered. After the elector has so announced the elector's name, the
 1075 moderator shall deliver to the elector an absentee ballot and a serially-
 1076 numbered envelope. The elector shall forthwith mark the ballot in the
 1077 presence of the moderator in such manner that the moderator shall not
 1078 know how the ballot is marked. The elector shall fold the ballot in the
 1079 presence of the moderator so as to conceal the markings and deposit
 1080 and seal it in the serially-numbered envelope. The elector shall deliver
 1081 the envelope to the moderator who shall place it in a specially-
 1082 designated depository envelope. The paper ballots thus received shall
 1083 be counted at the next scheduled absentee ballot count in the same
 1084 manner as other absentee ballots. Such ballots so counted shall be
 1085 preserved by placing them in the depository envelopes with the
 1086 regular absentee ballots, and such serially-numbered envelopes shall
 1087 be placed in the depository envelopes with the regular absentee ballot
 1088 envelopes.]

1089 Sec. 39. Section 9-266 of the general statutes is repealed and the
 1090 following is substituted in lieu thereof (*Effective from passage*):

1091 When the voting tabulator has been locked at the close of an
 1092 election, the moderator shall return the keys for the tabulator to the
 1093 registrars of voters with the official returns. Except as provided in
 1094 section 9-311, such registrars of voters shall securely keep such keys
 1095 and not permit the same to be taken, or any tabulator to be unlocked,
 1096 for a period of fourteen days from the election, unless otherwise
 1097 ordered by a court of competent jurisdiction, the Secretary of the State
 1098 or by the State Elections Enforcement Commission. All tabulators shall
 1099 be collected immediately on the day after election or as soon thereafter
 1100 as possible, and shall be secured and stored in a place or places

1101 directed by the registrars of voters.

1102 Sec. 40. Section 9-267 of the general statutes is repealed and the
1103 following is substituted in lieu thereof (*Effective from passage*):

1104 If, at any time during the performance of his duties, any moderator,
1105 challenger, voting [machine] tabulator tender or checker is, from any
1106 cause, found incompetent, the registrars may remove him and appoint
1107 a competent person in his stead.

1108 Sec. 41. Section 9-272 of the general statutes is repealed and the
1109 following is substituted in lieu thereof (*Effective from passage*):

1110 If, owing to the number of candidates to be voted upon, [or] owing
1111 to inability to obtain a sufficient number of voting tabulators [,] or, if it
1112 is found impracticable to use voting tabulators at any election, primary
1113 or referenda to be held in any municipality, or in one or more of the
1114 voting districts therein, the registrars of voters may discontinue the use
1115 of such tabulators for such election in any of the voting districts
1116 therein, and shall thereupon cause ballots to be procured and used at
1117 such election, [as provided by this part,] primary or referenda in each
1118 of the voting districts wherein the use of voting tabulators has been so
1119 discontinued. The procedure for counting absentee ballots shall
1120 comply as nearly as may be, in the manner prescribed by the Secretary
1121 of the State, to the counting of the paper ballots described in this
1122 section.

1123 Sec. 42. Section 9-307 of the general statutes is repealed and the
1124 following is substituted in lieu thereof (*Effective from passage*):

1125 Immediately after the polls are closed, the official checkers,
1126 appointed under the provisions of section 9-234, shall make and
1127 deliver to the moderator a certificate, in duplicate, stating the whole
1128 number of names on the registry list or enrollment list including, if
1129 applicable, unaffiliated electors authorized under section 9-431 to vote
1130 in the primary, and the number checked as having voted in that

1131 election or primary. For the purpose of computing the whole number
 1132 of names on the registry list, the lists of persons who have applied for
 1133 presidential or overseas ballots prepared in accordance with section 9-
 1134 158h shall be included. Thereupon the registrars or assistant registrars,
 1135 as the case may be, acting at the respective polls, shall write and sign
 1136 with ink, on the list or lists so used and checked, a certificate of the
 1137 whole number of names registered thereon eligible to vote in the
 1138 election or primary and the number checked as having voted in that
 1139 election or primary, and deposit it in the office of the municipal clerk
 1140 of their town on or before the following day. The municipal clerk shall
 1141 carefully preserve the same on file, with the marks on it without
 1142 alteration, for public inspection, and shall immediately enter a certified
 1143 copy of such certificate on the town records. Subject to the provisions
 1144 of section 7-109, the municipal clerk may destroy any voting check list
 1145 four years after the date upon which it was used. The moderator shall
 1146 place one of the duplicate certificates which he received from the
 1147 official checkers [in the voting machine] with the voted ballots from
 1148 the polling place together with the moderator's return provided for in
 1149 sections 9-259 and 9-310 and shall then lock the [machine] tabulator as
 1150 provided in section 9-310, and he shall deposit the other of such
 1151 duplicate certificates in the office of the municipal clerk on or before
 1152 the following day.

1153 Sec. 43. Section 9-308 of the general statutes is repealed and the
 1154 following is substituted in lieu thereof (*Effective from passage*):

1155 Immediately on the close of the polls, the election officials shall
 1156 proceed to canvass the returns as provided in section 9-309 and shall
 1157 not stop for any purpose until the canvass is completed. The room in
 1158 which such canvass is made shall be clearly lighted and such canvass
 1159 shall be made in plain view of the public. No person or persons,
 1160 during the canvass, shall close or cause to be closed the main entrance
 1161 to the room in which such canvass is conducted, in such manner as to
 1162 prevent ingress or egress thereby, but, during such canvass, no person
 1163 other than the election officials shall be permitted to be on the side of

1164 the guard rail where the voting [machine] tabulator is located.

1165 Sec. 44. Section 9-309 of the general statutes is repealed and the
1166 following is substituted in lieu thereof (*Effective from passage*):

1167 As soon as the polls are closed, the moderator, in the presence of the
1168 other election officials, shall immediately lock the voting [machine]
1169 tabulator against voting and immediately [open the counting
1170 compartments, giving a full view of all the counter numbers to all the
1171 election officials present] cause the vote totals for all candidates and
1172 questions to be produced. The moderator shall, in the order of the
1173 offices as their titles are arranged on the [machine] ballot, read and
1174 announce in distinct tones the result as shown, [by the counter
1175 numbers,] giving the number indicated [by each counter] and
1176 indicating the candidate to whom such [counter] total belongs, and
1177 shall read the votes recorded for each office on the [voting machine
1178 ballot label] ballot. He shall also, in the same manner, announce the
1179 vote on each constitutional amendment, proposition or other question
1180 voted on. The vote so announced by the moderator shall be taken
1181 down by each checker and recorded on the tally sheets. Each checker
1182 shall record the number of votes received for each candidate on the
1183 [voting machine ballot label] ballot and also the number received by
1184 each person for whom write-in ballots were cast. The [counter
1185 compartment of the voting machine] result totals shall remain [open]
1186 in full public view until the statement of canvass and all other reports
1187 have been fully completed and signed by the moderator, checkers and
1188 registrars, or assistant registrars, as the case may be. The result of the
1189 votes cast shall be publicly announced by the moderator, who shall
1190 read the name of each candidate, with the designating number and
1191 letter [of his counter and the machine vote registered on such counter]
1192 on the ballot and the absentee vote as furnished the moderator by the
1193 absentee ballot counters; also the vote cast for and against each
1194 question submitted. While such announcement is being made, ample
1195 opportunity shall be given to any person lawfully present to compare
1196 the results so announced with the [counter dials of the machine] result

1197 totals provided by the tabulator and any necessary corrections shall
 1198 then and there be made by the moderator, checkers and registrars or
 1199 assistant registrars, after which the [doors] compartments of the voting
 1200 [machine] tabulator shall be closed and locked. In canvassing,
 1201 recording and announcing the result, the election officials shall be
 1202 guided by any instructions furnished by the Secretary of the State. [If
 1203 the machine is equipped with a device for printing totals of candidate
 1204 and question counters, and the device has been made operational at
 1205 the instruction of both registrars of voters, the doors concealing the
 1206 counters shall not be opened. The printed record produced by the
 1207 machine shall be the official return, and the results of the votes as
 1208 shown thereon shall be proclaimed in the same manner as herein
 1209 provided and ample opportunity shall be given to any person lawfully
 1210 present to inspect such printed records. If the moderator finds that the
 1211 printed record is not clear, the doors concealing the counters shall be
 1212 opened and counting shall proceed as with a machine which does not
 1213 have such a device.]

1214 Sec. 45. Section 9-310 of the general statutes is repealed and the
 1215 following is substituted in lieu thereof (*Effective from passage*):

1216 As soon as the count is completed and the moderator's return
 1217 required under the provisions of section 9-259 has been executed, the
 1218 moderator shall place the sealed tabulator in the tabulator bag, and so
 1219 seal the bag, and the tabulator shall remain so sealed against voting or
 1220 being tampered with for a period of fourteen days, except as provided
 1221 in section 9-311 or pursuant to an order issued by the State Elections
 1222 Enforcement Commission or the Secretary of the State. If it is
 1223 determined that a recanvass is required pursuant to section 9-311 or 9-
 1224 311a, immediately upon such determination the tabulators, write-in
 1225 ballots, absentee ballots, moderators' returns and all other notes,
 1226 worksheets or written materials used at the election shall be
 1227 impounded at the direction of the Secretary of the State. Such package
 1228 shall be preserved for one hundred eighty days after such election and
 1229 may be opened and its contents examined in accordance with section

1230 9-311 or upon an order of a court of competent jurisdiction. At the end
 1231 of one hundred eighty days, unless otherwise ordered by the court,
 1232 such package and its contents may be destroyed. Any person who
 1233 unlocks the voting or operating mechanism of the tabulator or the
 1234 counting compartment after it has been locked as above directed or
 1235 breaks or destroys or tampers with the seal after it has been affixed as
 1236 above directed or changes the indication of the counters on any voting
 1237 tabulator within fourteen days after the election or within any longer
 1238 period during which the tabulator is kept locked as ordered by a court
 1239 of competent jurisdiction, the Secretary of the State or by the State
 1240 Elections Enforcement Commission in any special case, except as
 1241 provided in section 9-311, shall be imprisoned for not more than five
 1242 years. Any tabulator may be released in less than fourteen days, for
 1243 use in another election, by order of a court, if there is no disagreement
 1244 as to the returns from such machine and no order directing
 1245 impoundment has been issued by the State Elections Enforcement
 1246 Commission.

1247 Sec. 46. Section 9-311a of the general statutes is repealed and the
 1248 following is substituted in lieu thereof (*Effective from passage*):

1249 For purposes of this section, state, district and municipal offices
 1250 shall be as defined in section 9-372 except that the office of presidential
 1251 elector shall be deemed a state office. Forthwith after a regular or
 1252 special election for municipal office, or forthwith upon tabulation of
 1253 the vote for state and district offices by the Secretary of the State, when
 1254 at any such election the plurality of an elected candidate for an office
 1255 over the vote for a defeated candidate receiving the next highest
 1256 number of votes was either (1) less than a vote equivalent to one-half
 1257 of one per cent of the total number of votes cast for the office but not
 1258 more than two thousand votes, or (2) less than twenty votes, there
 1259 shall be a recanvass of the returns of the voting [machine] tabulator or
 1260 voting [machines] tabulators and absentee ballots used in such election
 1261 for such office unless such defeated candidate or defeated candidates,
 1262 as the case may be, for such office file a written statement waiving this

1263 right to such canvass with the municipal clerk in the case of a
1264 municipal office, or with the Secretary of the State in the case of a state
1265 or district office. In the case of state and district offices, the Secretary of
1266 the State upon tabulation of the votes for such offices shall notify the
1267 town clerks in the state or district, as the case may be, of the state and
1268 district offices which qualify for an automatic recanvass and shall also
1269 notify each candidate for any such office. When a recanvass is to be
1270 held the municipal clerk shall promptly notify the moderator, as
1271 defined in section 9-311, who shall proceed forthwith to cause a
1272 recanvass of such returns of the office in question in the same manner
1273 as is provided in said section 9-311. In addition to the notice required
1274 under section 9-311, the moderator shall before such recanvass is made
1275 give notice in writing of the time when, and place where, such
1276 recanvass is to be made to each candidate for a municipal office which
1277 qualifies for an automatic recanvass under this section. Nothing in this
1278 section shall preclude the right to judicial proceedings on behalf of a
1279 candidate under any provision of chapter 149. For the purposes of this
1280 section, "the total number of votes cast for the office" means in the case
1281 of multiple openings for the same office, the total number of electors
1282 checked as having voted in the state, district, municipality or political
1283 subdivision, as the case may be. When a recanvass of the returns for an
1284 office for which there are multiple openings is required by the
1285 provisions of this section, the returns for all candidates for all openings
1286 for the office shall be recanvassed. No one other than a recanvass
1287 official shall take part in the recanvass. If any irregularity in the
1288 recanvass procedure is noted by a candidate, he shall be permitted to
1289 present evidence of such irregularity in any contest relating to the
1290 election.

1291 Sec. 47. Section 9-323 of the general statutes is repealed and the
1292 following is substituted in lieu thereof (*Effective from passage*):

1293 Any elector or candidate who claims that he is aggrieved by any
1294 ruling of any election official in connection with any election for
1295 presidential electors and for a senator in Congress and for

1296 representative in Congress or any of them, held in his town, or that
1297 there was a mistake in the count of the votes cast at such election for
1298 candidates for such electors, senator in Congress and representative in
1299 Congress, or any of them, at any voting district in his town, or any
1300 candidate for such an office who claims that he is aggrieved by a
1301 violation of any provision of section 9-355, 9-357 to 9-361, inclusive, 9-
1302 364, 9-364a or 9-365 in the casting of absentee ballots at such election,
1303 may bring his complaint to any judge of the Supreme Court, in which
1304 he shall set out the claimed errors of such election official, the claimed
1305 errors in the count or the claimed violations of said sections. In any
1306 action brought pursuant to the provisions of this section, the
1307 complainant shall send a copy of the complaint by first-class mail, or
1308 deliver a copy of the complaint by hand, to the State Elections
1309 Enforcement Commission. If such complaint is made prior to such
1310 election, such judge shall proceed expeditiously to render judgment on
1311 the complaint and shall cause notice of the hearing to be given to the
1312 Secretary of the State and the State Elections Enforcement Commission.
1313 If such complaint is made subsequent to the election, it shall be
1314 brought not later than fourteen days after the election or, if such
1315 complaint is brought in response to the manual tabulation of paper
1316 ballots authorized pursuant to section 9-320f, such complaint shall be
1317 brought not later than seven days after the close of any such manual
1318 tabulation, and in either such circumstance, the judge shall forthwith
1319 order a hearing to be had upon such complaint, upon a day not more
1320 than five or less than three days from the making of such order, and
1321 shall cause notice of not less than three or more than five days to be
1322 given to any candidate or candidates whose election may be affected
1323 by the decision upon such hearing, to such election official, to the
1324 Secretary of the State, to the State Elections Enforcement Commission
1325 and to any other party or parties whom such judge deems proper
1326 parties thereto, of the time and place for the hearing upon such
1327 complaint. Such judge, with two other judges of the Supreme Court to
1328 be designated by the Chief Court Administrator, shall, on the day fixed
1329 for such hearing and without unnecessary delay, proceed to hear the

1330 parties. If sufficient reason is shown, such judges may order any voting
 1331 [machines] tabulators to be unlocked or any ballot boxes to be opened
 1332 and a recount of the votes cast, including absentee ballots, to be made.
 1333 Such judges shall thereupon, in the case they, or any two of them, find
 1334 any error in the rulings of the election official, any mistake in the count
 1335 of such votes or any violation of said sections, certify the result of their
 1336 finding or decision, or the finding or decision of a majority of them, to
 1337 the Secretary of the State before the first Monday after the second
 1338 Wednesday in December. Such judges may order a new election or a
 1339 change in the existing election schedule, provided such order complies
 1340 with Section 302 of the Help America Vote Act, P.L. 107-252, as
 1341 amended from time to time. Such certificate of such judges, or a
 1342 majority of them, shall be final upon all questions relating to the
 1343 rulings of such election officials, to the correctness of such count and,
 1344 for the purposes of this section only, such claimed violations, and shall
 1345 operate to correct the returns of the moderators or presiding officers so
 1346 as to conform to such finding or decision.

1347 Sec. 48. Section 9-324 of the general statutes is repealed and the
 1348 following is substituted in lieu thereof (*Effective from passage*):

1349 Any elector or candidate who claims that such elector or candidate
 1350 is aggrieved by any ruling of any election official in connection with
 1351 any election for Governor, Lieutenant Governor, Secretary of the State,
 1352 State Treasurer, Attorney General, State Comptroller or judge of
 1353 probate, held in such elector's or candidate's town, or that there has
 1354 been a mistake in the count of the votes cast at such election for
 1355 candidates for said offices or any of them, at any voting district in such
 1356 elector's or candidate's town, or any candidate for such an office who
 1357 claims that such candidate is aggrieved by a violation of any provision
 1358 of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the
 1359 casting of absentee ballots at such election or any candidate for the
 1360 office of Governor, Lieutenant Governor, Secretary of the State, State
 1361 Treasurer, Attorney General or State Comptroller, who claims that
 1362 such candidate is aggrieved by a violation of any provision of sections

1363 9-700 to 9-716, inclusive, may bring such elector's or candidate's
1364 complaint to any judge of the Superior Court, in which such elector or
1365 candidate shall set out the claimed errors of such election official, the
1366 claimed errors in the count or the claimed violations of said sections. In
1367 any action brought pursuant to the provisions of this section, the
1368 complainant shall send a copy of the complaint by first-class mail, or
1369 deliver a copy of the complaint by hand, to the State Elections
1370 Enforcement Commission. If such complaint is made prior to such
1371 election, such judge shall proceed expeditiously to render judgment on
1372 the complaint and shall cause notice of the hearing to be given to the
1373 Secretary of the State and the State Elections Enforcement Commission.
1374 If such complaint is made subsequent to the election, it shall be
1375 brought not later than fourteen days after the election or, if such
1376 complaint is brought in response to the manual tabulation of paper
1377 ballots authorized pursuant to section 9-320f, such complaint shall be
1378 brought not later than seven days after the close of any such manual
1379 tabulation and, in either such circumstance, such judge shall forthwith
1380 order a hearing to be had upon such complaint, upon a day not more
1381 than five nor less than three days from the making of such order, and
1382 shall cause notice of not less than three nor more than five days to be
1383 given to any candidate or candidates whose election may be affected
1384 by the decision upon such hearing, to such election official, the
1385 Secretary of the State, the State Elections Enforcement Commission and
1386 to any other party or parties whom such judge deems proper parties
1387 thereto, of the time and place for the hearing upon such complaint.
1388 Such judge shall, on the day fixed for such hearing and without
1389 unnecessary delay, proceed to hear the parties. If sufficient reason is
1390 shown, such judge may order any voting [machines] tabulators to be
1391 unlocked or any ballot boxes to be opened and a recount of the votes
1392 cast, including absentee ballots, to be made. Such judge shall
1393 thereupon, in case such judge finds any error in the rulings of the
1394 election official, any mistake in the count of the votes or any violation
1395 of said sections, certify the result of such judge's finding or decision to
1396 the Secretary of the State before the fifteenth day of the next

1397 succeeding December. Such judge may order a new election or a
1398 change in the existing election schedule. Such certificate of such judge
1399 of such judge's finding or decision shall be final and conclusive upon
1400 all questions relating to errors in the rulings of such election officials,
1401 to the correctness of such count, and, for the purposes of this section
1402 only, such claimed violations, and shall operate to correct the returns
1403 of the moderators or presiding officers, so as to conform to such
1404 finding or decision, unless the same is appealed from as provided in
1405 section 9-325.

1406 Sec. 49. Section 9-328 of the general statutes is repealed and the
1407 following is substituted in lieu thereof (*Effective from passage*):

1408 Any elector or candidate claiming to have been aggrieved by any
1409 ruling of any election official in connection with an election for any
1410 municipal office or a primary for justice of the peace, or any elector or
1411 candidate claiming that there has been a mistake in the count of votes
1412 cast for any such office at such election or primary, or any candidate in
1413 such an election or primary claiming that he is aggrieved by a violation
1414 of any provision of sections 9-355, 9-357 to 9-361, inclusive, 9-364, 9-
1415 364a or 9-365 in the casting of absentee ballots at such election or
1416 primary, may bring a complaint to any judge of the Superior Court for
1417 relief therefrom. In any action brought pursuant to the provisions of
1418 this section, the complainant shall send a copy of the complaint by
1419 first-class mail, or deliver a copy of the complaint by hand, to the State
1420 Elections Enforcement Commission. If such complaint is made prior to
1421 such election or primary, such judge shall proceed expeditiously to
1422 render judgment on the complaint and shall cause notice of the hearing
1423 to be given to the Secretary of the State and the State Elections
1424 Enforcement Commission. If such complaint is made subsequent to
1425 such election or primary, it shall be brought not later than fourteen
1426 days after such election or primary, except that if such complaint is
1427 brought in response to the manual tabulation of paper ballots,
1428 authorized pursuant to section 9-320f, such complaint shall be brought
1429 not later than seven days after the close of any such manual tabulation,

1430 to any judge of the Superior Court, in which he shall set out the
1431 claimed errors of the election official, the claimed errors in the count or
1432 the claimed violations of said sections. Such judge shall forthwith
1433 order a hearing to be had upon such complaint, upon a day not more
1434 than five nor less than three days from the making of such order, and
1435 shall cause notice of not less than three nor more than five days to be
1436 given to any candidate or candidates whose election or nomination
1437 may be affected by the decision upon such hearing, to such election
1438 official, the Secretary of the State, the State Elections Enforcement
1439 Commission and to any other party or parties whom such judge deems
1440 proper parties thereto, of the time and place for the hearing upon such
1441 complaint. Such judge shall, on the day fixed for such hearing and
1442 without unnecessary delay, proceed to hear the parties. If sufficient
1443 reason is shown, he may order any voting [machines] tabulators to be
1444 unlocked or any ballot boxes to be opened and a recount of the votes
1445 cast, including absentee ballots, to be made. Such judge shall
1446 thereupon, if he finds any error in the rulings of the election official or
1447 any mistake in the count of the votes, certify the result of his finding or
1448 decision to the Secretary of the State before the tenth day succeeding
1449 the conclusion of the hearing. Such judge may order a new election or
1450 primary or a change in the existing election schedule. Such certificate
1451 of such judge of his finding or decision shall be final and conclusive
1452 upon all questions relating to errors in the ruling of such election
1453 officials, to the correctness of such count, and, for the purposes of this
1454 section only, such claimed violations, and shall operate to correct the
1455 returns of the moderators or presiding officers, so as to conform to
1456 such finding or decision, except that this section shall not affect the
1457 right of appeal to the Supreme Court and it shall not prevent such
1458 judge from reserving such questions of law for the advice of the
1459 Supreme Court as provided in section 9-325. Such judge may, if
1460 necessary, issue his writ of mandamus, requiring the adverse party
1461 and those under him to deliver to the complainant the appurtenances
1462 of such office, and shall cause his finding and decree to be entered on
1463 the records of the Superior Court in the proper judicial district.

1464 Sec. 50. Subsection (b) of section 9-329a of the general statutes is
1465 repealed and the following is substituted in lieu thereof (*Effective from*
1466 *passage*):

1467 (b) Such judge shall forthwith order a hearing to be held upon such
1468 complaint upon a day not more than five nor less than three days after
1469 the making of such order, and shall cause notice of not less than three
1470 days to be given to any candidate or candidates in any way directly
1471 affected by the decision upon such hearing, to such election official, to
1472 the Secretary of the State, the State Elections Enforcement Commission
1473 and to any other person or persons, whom such judge deems proper
1474 parties thereto, of the time and place of the hearing upon such
1475 complaint. Such judge shall, on the day fixed for such hearing, and
1476 without delay, proceed to hear the parties and determine the result. If,
1477 after hearing, sufficient reason is shown, such judge may order any
1478 voting [machines] tabulators to be unlocked or any ballot boxes to be
1479 opened and a recount of the votes cast, including absentee ballots, to
1480 be made. Such judge shall thereupon, if he finds any error in the ruling
1481 of the election official, any mistake in the count of the votes or any
1482 violation of said sections, certify the result of his finding or decision to
1483 the Secretary of the State before the tenth day following the conclusion
1484 of the hearing. Such judge may (1) determine the result of such
1485 primary; (2) order a change in the existing primary schedule; or (3)
1486 order a new primary if he finds that but for the error in the ruling of
1487 the election official, any mistake in the count of the votes or any
1488 violation of said sections, the result of such primary might have been
1489 different and he is unable to determine the result of such primary.

1490 Sec. 51. Section 9-329b of the general statutes is repealed and the
1491 following is substituted in lieu thereof (*Effective from passage*):

1492 At any time prior to a primary held pursuant to sections 9-423, 9-425
1493 and 9-464, or a special act or prior to any election, the Superior Court
1494 may issue an order removing a candidate from a ballot [label] where it
1495 is shown that said candidate is improperly on the ballot.

1496 Sec. 52. Section 9-330 of the general statutes is repealed and the
1497 following is substituted in lieu thereof (*Effective from passage*):

1498 Any judge having jurisdiction over any action brought under
1499 section 9-323, 9-324, 9-328 or 9-329a shall have the power, if sufficient
1500 reason is shown, to order the examination and testing of any voting
1501 [machines] tabulators.

1502 Sec. 53. Section 9-332 of the general statutes is repealed and the
1503 following is substituted in lieu thereof (*Effective from passage*):

1504 If the electors fail to choose a candidate for any office by reason of
1505 an equality of votes at any election, and no provision is otherwise
1506 made by law for the election of a candidate to such office, such election
1507 shall stand adjourned for three weeks at the same hour at which the
1508 first election was held. [Ballot labels] Ballots of the same form and
1509 description as described in sections 9-250 to 9-256, inclusive, except
1510 that such [ballot labels] ballots shall contain only the names of the
1511 candidates for whom the same are to be voted, shall be used in the
1512 election on such adjourned day, and the election shall be conducted in
1513 the same manner as on the first day, except that the votes shall be cast
1514 for such officer only. [Ballot labels] Ballots for such election shall be
1515 provided forthwith by the clerk of the municipality wherein such
1516 election stands adjourned, and such clerk shall furnish the Secretary of
1517 the State with an accurate list of all candidates to be voted for at such
1518 adjourned election. The clerk of the municipality wherein such election
1519 so stands adjourned shall, at least three days prior to the day of such
1520 adjourned election, give notice of the day, hours, place and purpose
1521 thereof by publishing such notice in a newspaper published in such
1522 municipality or having a circulation therein. No such election shall be
1523 held if prior to such election all but one of the candidates for such
1524 office die, withdraw their names or for any reason become disqualified
1525 to hold such office, and, in such event, the remaining candidate shall
1526 be deemed to be lawfully elected to such office. No withdrawal shall
1527 be valid until the candidate who has withdrawn has filed a letter of

1528 withdrawal signed by such candidate with the Secretary of the State or,
1529 in the case of a municipal office, until the candidate who has
1530 withdrawn has filed a letter of withdrawal signed by such candidate
1531 with the municipal clerk. When such an election is required to be held
1532 under the provisions of this section for any office other than a
1533 municipal office, and prior to such election all but one of the
1534 candidates for such office die, withdraw their names or for any reason
1535 become disqualified to hold such office, the Secretary of the State shall
1536 forthwith notify the clerk of each municipality wherein such election
1537 was to have been held of such fact, and shall forthwith direct each such
1538 clerk that such election shall not be held. In the case of a multiple
1539 opening office only the names of those candidates whose votes are
1540 equal shall be placed on the ballot [label] of the adjourned election.

1541 Sec. 54. Section 9-352 of the general statutes is repealed and the
1542 following is substituted in lieu thereof (*Effective from passage*):

1543 Any election official who, with intent to cause or permit any voting
1544 [machine] tabulator to fail to correctly register all votes cast thereon,
1545 tampers with or disarranges such [machine] tabulator in any way or
1546 any part or appliance thereof, or causes such [machine] tabulator to be
1547 used or consents to its being used for voting at any election with
1548 knowledge of the fact that the same is not in order, or not perfectly set
1549 and adjusted to correctly register all votes cast thereon, or who, for the
1550 purpose of defrauding or deceiving any elector or of causing it to be
1551 doubtful for what candidate or candidates or proposition any vote is
1552 cast, or causing it to appear upon such [machine] tabulator that votes
1553 cast for one candidate or proposition were cast for another candidate
1554 or proposition, removes, changes or mutilates any ballot [label on such
1555 machine or any part thereof,] shall be fined not more than one
1556 thousand dollars or imprisoned not more than five years or both.

1557 Sec. 55. Section 9-353 of the general statutes is repealed and the
1558 following is substituted in lieu thereof (*Effective from passage*):

1559 Any election official who, at the close of the polls, purposely causes

1560 the vote registered on the [machine] tabulator to be incorrectly taken
1561 down as to any candidate or proposition voted on, or who knowingly
1562 causes to be made or signed any false statement, certificate or return of
1563 any kind, of such vote, or who knowingly consents to any such act,
1564 shall be fined not more than one thousand dollars or imprisoned not
1565 more than five years or both.

1566 Sec. 56. Section 9-354 of the general statutes is repealed and the
1567 following is substituted in lieu thereof (*Effective from passage*):

1568 Any person who prints or causes to be printed upon any official
1569 ballot [label] the name of any person not a candidate of a party whose
1570 name is printed at the head of the column containing such nominees or
1571 who prints or causes to be printed any authorized ballot [label] in any
1572 manner other than that prescribed by the Secretary of the State shall be
1573 fined not less than one hundred dollars nor more than one thousand
1574 dollars or be imprisoned not more than five years or be both fined and
1575 imprisoned.

1576 Sec. 57. Section 9-363 of the general statutes is repealed and the
1577 following is substituted in lieu thereof (*Effective from passage*):

1578 Any person who, with intent to defraud any elector of his vote or
1579 cause any elector to lose his vote or any part thereof, gives in any way,
1580 or prints, writes or circulates, or causes to be written, printed or
1581 circulated, any improper, false, misleading or incorrect instructions or
1582 advice or suggestions as to the manner of voting on any [machine]
1583 tabulator, the following of which or any part of which would cause
1584 any elector to lose his vote or any part thereof, or would cause any
1585 elector to fail in whole or in part to register or record the same on the
1586 [machine] tabulator for the candidates of his choice, shall be fined not
1587 more than five hundred dollars or be imprisoned not more than five
1588 years or be both fined and imprisoned.

1589 Sec. 58. Section 9-366 of the general statutes is repealed and the
1590 following is substituted in lieu thereof (*Effective from passage*):

Any person who induces or attempts to induce any elector to write, paste or otherwise place, on a write-in ballot voted on a voting [machine] tabulator at any election, any name, sign or device of any kind, as a distinguishing mark by which to indicate to another how such elector voted, or enters into or attempts to form any agreement or conspiracy with any person to induce or attempt to induce electors or any elector to so place any distinguishing mark on such ballot, or attempts to induce any elector to do anything with a view to enabling another person to see or know for what persons or any of them such elector votes on such [machine] tabulator, or enters into or attempts to form any agreement or conspiracy to induce any elector to do any act for the purpose of enabling another person or persons to see or know for what person or persons such elector votes, or attempts to induce any person to place himself in such position, or to do any other act for the purpose of enabling him to see or know for what candidates any elector other than himself votes on such [machine] tabulator, or himself attempts to get in such position to do any act so that he will be enabled to see or know how any elector other than himself votes on such [machine] tabulator, or does any act which invades or interferes with the secrecy of the voting or causes the same to be invaded or interfered with, shall be imprisoned not more than five years.

Sec. 59. Section 9-367 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person, not being an election official, who, during any election or before any election [, after a voting machine has had placed upon it the ballot label for such election,] tampers with [such machine] a voting tabulator, disarranges, defaces, injures or impairs the same in any manner, or mutilates, injures or destroys any ballot [label placed thereon or to be placed thereon,] or any other appliance used in connection with such [machine] tabulator, shall be imprisoned for not more than five years.

Sec. 60. Section 9-369 of the general statutes is repealed and the

1623 following is substituted in lieu thereof (*Effective from passage*):

1624 Whenever at any regular or special state or municipal election any
1625 vote for approval or disapproval of any constitutional amendment or
1626 any question or proposal is taken pursuant to the Constitution, the
1627 general statutes or any special act, unless otherwise provided, such
1628 election shall be warned and held, the vote on such amendment,
1629 question or proposal cast and canvassed and the result determined and
1630 certified as nearly as may be in accordance with the provisions
1631 governing the election of officers in the state or in such municipality.
1632 The warning for such election shall state that a purpose of such
1633 election is to vote for the approval or disapproval of such amendment,
1634 question or proposal and shall state the section of the Constitution or
1635 of the general statutes or the special act under authority of which such
1636 vote is taken. The vote on such amendment, question or proposal shall
1637 be taken by a "Yes" and "No" vote on the voting [machine] tabulator,
1638 and the designation of such amendment, question or proposal on the
1639 [voting machine ballot label] ballot shall be "Shall (here insert the
1640 question or proposal, followed by a question mark)". Such ballot [label]
1641 shall be provided for use in accordance with the provisions of section
1642 9-250. The municipal clerk shall number on the ballot [label] the
1643 questions to be voted upon according to the order in which they will
1644 appear thereon, provided amendments to the Constitution shall be
1645 numbered by the Secretary of the State in numerical order based upon
1646 the dates on which resolutions proposing such amendments were
1647 passed, precedence being given to the earliest passed unless otherwise
1648 provided by the resolutions proposing such amendments. Each elector
1649 shall vote "Yes" if in favor of the amendment, question or proposal or
1650 "No" if not in favor thereof. [The registrars of voters shall cause an
1651 adhesive label, three inches high by four inches wide, upon which
1652 shall be imprinted, in clearly discernible lettering, the words "Vote on
1653 the Questions" to be affixed to the upper left-hand corner of each such
1654 voting machine, directly opposite the spaces provided for the
1655 amendment, question or proposal. Such adhesive labels shall be
1656 provided by the Secretary of the State upon receipt of a written order

1657 therefor from the registrars of voters, which order shall specify the
1658 number of such labels required.] If, upon the official determination of
1659 the result of such vote, it appears that a majority of all the votes so cast
1660 are in approval of such amendment, question or proposal, such
1661 amendment, question or proposal shall, unless otherwise provided,
1662 take effect forthwith.

1663 Sec. 61. Subsections (b) and (c) of section 9-369a of the general
1664 statutes are repealed and the following is substituted in lieu thereof
1665 (*Effective from passage*):

1666 (b) When the clerk of the municipality determines that the necessary
1667 action has been taken for submission of the question, he shall, at least
1668 forty-five days prior to the election, file in the office of the Secretary of
1669 the State a statement setting forth the designation of the question as it
1670 is to appear on the [voting machine ballot labels] ballot at the election,
1671 the date upon which the submitting action was taken and the reference
1672 to the law under which the action was taken. Such designation shall be
1673 in the form of a question, as provided in section 9-369. Whenever it is
1674 specifically provided in the general statutes that any such question
1675 may be approved for such submission within the period of forty-five
1676 days prior to such an election, and action is taken to submit a question
1677 within such period, the clerk of the municipality shall file the
1678 statement required by this subsection with the Secretary of the State
1679 immediately upon the taking of such action.

1680 (c) When action is taken for submission of a question, from the time
1681 of such action through the day of the election, the clerk of the
1682 municipality shall make the full text of the question and the
1683 designation which is to appear upon the [voting machine ballot labels]
1684 ballot available for public inspection. If the designation is not
1685 prescribed by law, the clerk shall phrase the designation of the
1686 question in a form suitable for printing on the ballot. [label.] The
1687 warning of the election shall include a statement that the question is to
1688 be voted upon, the designation of the question to appear on the ballot

1689 [labels,] and a statement that the full text of the question is available
1690 for public inspection in the clerk's office.

1691 Sec. 62. Subsection (c) of section 9-369c of the general statutes is
1692 repealed and the following is substituted in lieu thereof (*Effective from*
1693 *passage*):

1694 (c) Upon receipt of the written form of the question or proposal to
1695 be voted on at any such referendum, the municipal clerk shall
1696 immediately prepare and print absentee ballots for the referendum.
1697 The phrasing of the question or proposal on the absentee ballots shall
1698 be identical to the phrasing on the ballot [or ballot label] to be used for
1699 voting in person at the referendum.

1700 Sec. 63. Subsection (b) of section 9-369d of the general statutes is
1701 repealed and the following is substituted in lieu thereof (*Effective from*
1702 *passage*):

1703 (b) (1) The procedures set forth in this subsection shall only apply if
1704 a municipality so chooses and only upon approval of such procedure
1705 by its legislative body or in any town in which the legislative body is a
1706 town meeting, by the board of selectmen.

1707 (2) Voters who are not electors shall vote by separate voting
1708 [machine] tabulator or paper ballot, containing solely the question, at
1709 one separate location which may be a separate room in the location at
1710 which electors vote. Such separate location shall be treated as a
1711 separate voting district and polling place for such voters, except that
1712 the registrars of voters shall appoint a moderator who shall be the
1713 head moderator for the purpose of this question only, and such other
1714 officials as the registrars deem necessary. The moderator of such
1715 separate location shall add the results of the vote by electors on the
1716 question to the results of the vote by voters who are not electors, and
1717 shall file such results in the office of the municipal clerk. The
1718 moderator of such separate location shall be the moderator for the
1719 purposes of a recanvass of a close vote on such question under section

1720 9-370a. The head moderator of the town shall indicate on the return of
1721 vote of such question filed with the Secretary of the State that such
1722 return does not include the return of vote of voters who are not
1723 electors.

1724 Sec. 64. Section 9-371b of the general statutes is repealed and the
1725 following is substituted in lieu thereof (*Effective from passage*):

1726 Any person (1) claiming to have been aggrieved by any ruling of
1727 any election official in connection with a referendum, (2) claiming that
1728 there has been a mistake in the count of votes cast for a referendum, or
1729 (3) claiming to be aggrieved by a violation of any provision of section
1730 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of
1731 absentee ballots at a referendum, may bring a complaint to any judge
1732 of the Superior Court for relief from such ruling, mistake or violation.
1733 In any action brought pursuant to the provisions of this section, the
1734 complainant shall send a copy of the complaint by first class mail, or
1735 deliver a copy of the complaint by hand, to the State Elections
1736 Enforcement Commission. If such complaint is made prior to such
1737 referendum, such judge shall proceed expeditiously to render
1738 judgment on the complaint and shall cause notice of the hearing to be
1739 given to the Secretary of the State and the State Elections Enforcement
1740 Commission. If such complaint is made subsequent to such
1741 referendum, it shall be brought within thirty days after such
1742 referendum to any judge of the Superior Court, in which the person
1743 shall set out the claimed errors of the election official, the claimed
1744 errors in the count or the claimed violations of said sections. Such
1745 judge shall forthwith order a hearing to be held upon such complaint,
1746 upon a day not more than five or less than three days from the making
1747 of such order, and shall cause notice of not less than three or more than
1748 five days to be given to any person who may be affected by the
1749 decision upon such hearing, to such election official, the Secretary of
1750 the State, the State Elections Enforcement Commission and to any
1751 other party or parties whom such judge deems proper parties to the
1752 hearing, of the time and place for the hearing upon such complaint.

1753 Such judge shall, on the day fixed for such hearing and without
 1754 unnecessary delay, proceed to hear the parties. If sufficient reason is
 1755 shown, such judge may order any voting [machines] tabulator to be
 1756 unlocked or any ballot boxes to be opened and a recount of the votes
 1757 cast, including absentee ballots, to be made. Such judge shall, if such
 1758 judge finds any error in the rulings of the election official or any
 1759 mistake in the count of the votes, certify the result of such judge's
 1760 finding or decision to the Secretary of the State before the tenth day
 1761 succeeding the conclusion of the hearing. Such judge may order a new
 1762 referendum or a change in the existing referendum schedule. Such
 1763 certificate of such judge's finding or decision shall be final and
 1764 conclusive upon all questions relating to errors in the ruling of such
 1765 election officials, to the correctness of such count, and, for the purposes
 1766 of this section only, such claimed violations, and shall operate to
 1767 correct the returns of the moderators or presiding officers, so as to
 1768 conform to such finding or decision, except that this section shall not
 1769 affect the right of appeal to the Supreme Court and it shall not prevent
 1770 such judge from reserving such questions of law for the advice of the
 1771 Supreme Court as provided in section 9-325. Such judge may, if
 1772 necessary, issue a writ of mandamus, requiring the adverse party and
 1773 those under such judge to deliver to the complainant the
 1774 appurtenances of such office, and shall cause such judge's finding and
 1775 decree to be entered on the records of the Superior Court in the proper
 1776 judicial district.

1777 Sec. 65. Subdivision (15) of section 9-372 of the general statutes is
 1778 repealed and the following is substituted in lieu thereof (*Effective from*
 1779 *passage*):

1780 (15) "Votes cast for the same office at the last-preceding election" or
 1781 "votes cast for all candidates for such office at the last-preceding
 1782 election" means, in the case of multiple openings for the same office,
 1783 the total number of electors checked as having voted at the last-
 1784 preceding election at which such office appeared on the ballot. [label.]

1785 Sec. 66. Section 9-377 of the general statutes is repealed and the
1786 following is substituted in lieu thereof (*Effective from passage*):

1787 At a primary votes may be cast and counted only for duly qualified
1788 candidates at such primary whose names appear on the ballot label on
1789 primary day. [The write-in slides shall be covered on voting machines
1790 used at a primary, and no write-in spaces shall appear on the absentee
1791 ballots used at a primary] No write-in spaces shall appear on the
1792 ballots used at a primary.

1793 Sec. 67. Subsection (a) of section 9-400 of the general statutes is
1794 repealed and the following is substituted in lieu thereof (*Effective from*
1795 *passage*):

1796 (a) A candidacy for nomination by a political party to a state office
1797 may be filed by or on behalf of any person whose name appears upon
1798 the last-completed enrollment list of such party in any municipality
1799 within the state and who has either (1) received at least fifteen per cent
1800 of the votes of the convention delegates present and voting on any roll-
1801 call vote taken on the endorsement or proposed endorsement of a
1802 candidate for such state office, whether or not the party-endorsed
1803 candidate for such office received a unanimous vote on the last ballot,
1804 or (2) circulated a petition and obtained the signatures of at least two
1805 per cent of the enrolled members of such party in the state, in
1806 accordance with the provisions of sections 9-404a to 9-404c, inclusive.
1807 Candidacies described in subdivision (1) of this subsection shall be
1808 filed by submitting to the Secretary of the State not later than four
1809 o'clock p.m. on the fourteenth day following the close of the state
1810 convention, a certificate, signed by such candidate and attested by
1811 either (A) the chairman or presiding officer, or (B) the secretary of the
1812 convention, that such candidate received at least fifteen per cent of
1813 such votes, and that such candidate consents to be a candidate in a
1814 primary of such party for such state office. Such certificate shall specify
1815 the candidate's name as the candidate authorizes it to appear on the
1816 ballot, the candidate's full residence address and the title of the office

1817 for which the candidacy is being filed. A single such certificate or
 1818 petition for state office may be filed on behalf of two or more
 1819 candidates for different state offices who consent to have their names
 1820 appear on a single row of the primary ballot [label] under subsection
 1821 (b) of section 9-437. Candidacies described in subdivision (2) of this
 1822 subsection shall be filed by submitting said petition not later than four
 1823 o'clock p.m. on the sixty-third day preceding the day of the primary
 1824 for such office to the registrar of voters of the towns in which the
 1825 respective petition pages were circulated. Each registrar shall file each
 1826 page of such petition with the Secretary in accordance with the
 1827 provisions of section 9-404c. A petition filed by or on behalf of a
 1828 candidate for state office shall be invalid for such candidate if such
 1829 candidate is certified as the party-endorsed candidate pursuant to
 1830 section 9-388 or as receiving at least fifteen per cent of the convention
 1831 vote for such office pursuant to this subsection. Except as provided in
 1832 section 9-416a, upon the expiration of the time period for party
 1833 endorsement and circulation and tabulation of petitions and
 1834 signatures, if any, if one or more candidacies for such state office have
 1835 been filed pursuant to the provisions of this section, the Secretary of
 1836 the State shall notify all town clerks in accordance with the provisions
 1837 of section 9-433, that a primary for such state office shall be held in
 1838 each municipality in accordance with the provisions of section 9-415.

1839 Sec. 68. Section 9-426 of the general statutes is repealed and the
 1840 following is substituted in lieu thereof (*Effective from passage*):

1841 If only one candidacy has been filed by a person other than a party-
 1842 endorsed candidate for the nomination by a political party to a
 1843 particular office and the candidate whose candidacy has been so filed
 1844 thereafter, but prior to the opening of the polls at such primary, dies,
 1845 withdraws his name from nomination or for any reason becomes
 1846 disqualified to hold the office for which he is a candidate, no primary
 1847 shall be held for the nomination of such party to that office and the
 1848 party-endorsed candidate for such office shall be deemed to have been
 1849 lawfully chosen in the same manner and to the same extent as is

1850 provided in sections 9-382 to 9-450, inclusive, in the case where no
 1851 candidacy other than a party-endorsed candidacy has been filed. If
 1852 candidacies have been filed by only one group of persons other than
 1853 party-endorsed candidates for election to a town committee, and the
 1854 candidates whose candidacies have been so filed thereafter, but prior
 1855 to the opening of the polls at such primary, die, withdraw their names
 1856 from nomination or for any reason become disqualified to hold the
 1857 positions for which they are candidates, so as to render the number of
 1858 candidacies so filed less than twenty-five per cent of the number of
 1859 town committee members to be elected by such party either in the
 1860 municipality or in the political subdivision, as the case may be, no
 1861 primary shall be held for those positions and the party-endorsed
 1862 candidates for such positions shall be deemed to have been lawfully
 1863 chosen in the same manner and to the same extent as is provided in
 1864 sections 9-382 to 9-450, inclusive, in the case where no candidacies
 1865 other than party-endorsed candidacies have been filed. If any person
 1866 on a slate, prior to the opening of the polls at such primary, dies,
 1867 withdraws his name from nomination or for any reason becomes
 1868 disqualified to hold the position for which he is a candidate, such
 1869 partial slate shall appear on the ballot [label] at the primary and, if
 1870 such partial slate wins, then the remaining members may fill the
 1871 vacancy. If only one such slate other than a slate of party-endorsed
 1872 candidates has been filed for election and prior to the opening of the
 1873 polls at such primary each of the persons on such slate dies, withdraws
 1874 or becomes disqualified, no primary shall be held for those positions
 1875 and the party-endorsed candidates for those positions shall be deemed
 1876 to have been lawfully chosen in the same manner and to the same
 1877 extent as is provided in sections 9-382 to 9-450, inclusive, in the case
 1878 where no candidacies other than party-endorsed candidacies have
 1879 been filed.

1880 Sec. 69. Section 9-434 of the general statutes is repealed and the
 1881 following is substituted in lieu thereof (*Effective from passage*):

1882 Upon the filing with the clerk of a municipality of the names of

1883 party-endorsed candidates pursuant to section 9-390 or upon the filing
1884 with such clerk of petitions for contesting candidates pursuant to
1885 section 9-412, such clerk shall verify and correct the names of such
1886 candidates in accordance with the registry list of such municipality,
1887 endorse the same as having been so verified and corrected and use the
1888 same in the preparation of the [ballot labels] ballots for the primary.
1889 The provisions of this section shall not apply to the municipal offices of
1890 state senator and state representative.

1891 Sec. 70. Section 9-435 of the general statutes is repealed and the
1892 following is substituted in lieu thereof (*Effective from passage*):

1893 Except as provided in sections 9-418 and 9-419, if in any
1894 municipality, within the time specified in section 9-405, a candidacy for
1895 nomination by a political party to any municipal office or for election
1896 as a town committee member is filed with the registrar, in conformity
1897 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-
1898 414, by or on behalf of any person other than party-endorsed
1899 candidates, the registrar shall forthwith after the deadline for
1900 certification of party-endorsed candidates notify the clerk of such
1901 municipality that a primary is to be held by such party for the
1902 nomination of such party to such office or for the election by such
1903 party of town committee members, as the case may be. Such notice
1904 shall include a list of all the proposed candidates, those endorsed as
1905 well as those filing candidacies, together with their addresses and the
1906 titles of the offices or positions for which they are candidates. In the
1907 case of a primary for justices of the peace, such notice shall also contain
1908 the complete ballot [label] designation of each slate pursuant to
1909 subsection (h) of section 9-437. The clerk of the municipality shall
1910 thereupon cause such notice to be published forthwith in a newspaper
1911 having a general circulation in such municipality, together with a
1912 statement of the date upon which the primary is to be held, the hours
1913 during which the polls shall be open and the location of the polls, and
1914 shall send a copy of such notice to the Secretary of the State and record
1915 the same. The clerk shall forthwith publish any change in the proposed

1916 candidates, listing such changes.

1917 Sec. 71. Section 9-437 of the general statutes is repealed and the
1918 following is substituted in lieu thereof (*Effective from passage*):

1919 (a) At the top of each ballot [label] shall be printed the name of the
1920 party holding the primary, and each ballot [label] shall contain the
1921 names of all candidates to be voted upon at such primary, except the
1922 names of justices of the peace. The vertical columns shall be headed by
1923 the designation of the office or position and instructions as to the
1924 number for which an elector may vote for such office or position, in the
1925 same manner as a ballot [label] used in a regular election. The name of
1926 each candidate for town committee or municipal office, except for the
1927 municipal offices of state senator and state representative, shall appear
1928 on the ballot [label] as it appears on the registry list of such candidate's
1929 town of voting residence, except as provided in section 9-42a. The
1930 name of each candidate for state or district office or for the municipal
1931 offices of state senator or state representative shall appear on the ballot
1932 as it appears on the certificate or statement of consent filed under
1933 section 9-388, 9-391, 9-400 or 9-409. On the first horizontal line, below
1934 the designation of the office or position in each column, shall be placed
1935 the name of the party-endorsed candidate for such office or position,
1936 such name to be marked with an asterisk; provided, where more than
1937 one person may be voted for for any office or position, the names of
1938 the party-endorsed candidates shall be arranged in alphabetical order
1939 from left to right under the appropriate office or position designation
1940 and shall continue, if necessary, from left to right on the next lower
1941 line or lines. In the case of no party endorsement there shall be inserted
1942 the designation "no party endorsement" at the head of the vertical
1943 column, immediately beneath the designation of the office or position.
1944 On the horizontal lines below the line for party-endorsed candidates
1945 shall be placed, in the appropriate columns, the names of all other
1946 candidates as hereinafter provided.

1947 (b) (1) In the case of two or more such candidates for the same state

1948 or district office, precedence as to row shall be determined by the
1949 alphabetical order of the surnames of such candidates, except as
1950 provided under subdivision (2) of this subsection. (2) If a single
1951 certificate or a single petition has been filed under subsection (a) of
1952 section 9-400 on behalf of two or more candidates and proposing one
1953 candidate for each state office to be contested at such primary, a single
1954 row shall be used for the names of such candidates and precedence as
1955 to row between such certificates and petitions shall be determined by
1956 the Secretary of the State by lot in a ceremony which shall be open to
1957 the public. The names of all other candidates for state office shall be
1958 placed in the appropriate columns in alphabetical order on the rows
1959 below the row or rows used for candidates whose names are contained
1960 in such a single certificate, certificates, single petition or petitions.

1961 (c) Whenever the position of candidates or slates on the ballot [label]
1962 under the provisions of this section is affected by the time or order of
1963 filing of primary petitions, and the registrar of voters certifies in
1964 writing to the town clerk that (1) two or more of the petitions to which
1965 such provisions apply were filed simultaneously or (2) he is unable to
1966 determine the time or order of filing of two or more such petitions,
1967 then for purposes of this section the order of filing of the petitions
1968 specified in the registrar's certification shall be determined by the town
1969 clerk by lot in a ceremony which shall be open to the public.

1970 (d) In the case of candidates for municipal office, a single row shall
1971 be used for the candidates whose names are contained in one primary
1972 petition, provided such petition proposes at least two candidates and
1973 the full number of candidates for each office to be contested at such
1974 primary as the party may nominate or choose thereat, precedence as to
1975 row being given to the candidates whose names appear in the first
1976 such petition filed, and so on in descending order.

1977 (e) The names of candidates for town committee members which are
1978 contained in one primary petition shall be placed in a separate row,
1979 precedence as to row being given to the candidates whose names

1980 appear in petitions in the order determined in accordance with this
1981 subsection. Petitions filed by nine o'clock a.m. on the first business day
1982 following the day on which petitions become available shall be given
1983 precedence as to row based on the number of valid signatures filed, in
1984 descending order from the greatest to the least. Petitions filed after
1985 nine o'clock a.m. on the first business day following the day on which
1986 petitions become available shall be given precedence as to row based
1987 on the order in which they are filed, if such petitions are filed during
1988 the regular business hours of the office of the registrars of voters or
1989 during any different hours for said office required under the general
1990 statutes. Such order of precedence shall be determined separately for
1991 petitions proposing the full number of candidates which the party may
1992 choose at the primary and for petitions proposing fewer than such full
1993 number of candidates, and provided further that petitions proposing
1994 such full number of candidates shall have precedence as to row over
1995 petitions proposing fewer than such full number of candidates.

1996 (f) Within such row or rows for those whose names are contained in
1997 one primary petition, where more than one person may be voted for
1998 any municipal office or position, such names shall be arranged in
1999 alphabetical order from left to right under the appropriate municipal
2000 office or position designation. The names of all other candidates shall
2001 be placed in the appropriate columns in alphabetical order on the
2002 horizontal lines below the line or lines used for candidates whose
2003 names are contained in one primary petition, if any; provided where
2004 more than one person may be voted for for any office or position, such
2005 names shall be arranged in alphabetical order from left to right under
2006 the appropriate office or position designation and shall continue, if
2007 necessary, from left to right on the next lower line or lines.

2008 (g) The name of each candidate shall appear on the ballot [label] in
2009 such position as is hereinbefore required, and such position shall be
2010 determined as of the final time for filing candidacies specified in
2011 section 9-400 or 9-405. Vacancies in candidacies thereafter occurring
2012 shall not cause the position of any candidate's name on the ballot

2013 [label] to be changed to another position. The name of any candidate
 2014 whose candidacy has been vacated shall not appear on the ballot.
 2015 [label. The voting machine pointer over each position where no
 2016 candidate's name appears shall be locked so that no vote can be cast for
 2017 such position.] If such a vacancy results in the cancellation of a
 2018 primary for any office, the office column or columns where the names
 2019 of the candidates and the title of the office would have appeared if the
 2020 primary for that office had not been cancelled shall be left blank. If a
 2021 vacancy occurs in a party-endorsed candidacy and a person is chosen
 2022 in accordance with section 9-426 or 9-428 to fill the resulting vacancy in
 2023 candidacy, the name of the person so chosen shall appear in the same
 2024 position as that in which the name of the vacating candidate appeared.
 2025 The municipal clerk shall have the ballot [label] prepared so that the
 2026 name of any candidate who has vacated his candidacy is deleted and
 2027 so that the name of any candidate chosen to fill a vacancy in candidacy
 2028 appears in the same position as that in which the vacated candidacy
 2029 appeared. The municipal clerk may use blank or printed stickers, as
 2030 the case may be, in preparing the [ballot labels] ballots if the [ballot
 2031 labels] ballots were printed before the occurrence of the vacancy in
 2032 candidacy or the selection of a candidate to fill a vacancy in candidacy.
 2033 The order of the offices and positions shall be as prescribed by the
 2034 Secretary of the State.

2035 (h) The names of candidates for election as justices of the peace shall
 2036 not appear on the ballot. [label.] A single vertical column shall be used
 2037 for all the candidates for election to the office of justice the peace of a
 2038 particular town. The vertical column used for justices of the peace shall
 2039 be headed by the words "justices of the peace". On the first horizontal
 2040 line in the vertical column used for justice of the peace shall be placed
 2041 the words "party-endorsed slate". On the second and succeeding
 2042 horizontal lines, in the order of the time of filing, shall be placed the
 2043 words "challenge slate", preceded, in quotation marks, by the letter
 2044 designating such line. The municipal clerk shall prepare a list of the
 2045 names of all candidates on each slate for election as justices of the
 2046 peace, including the complete ballot [label] designation of each such

2047 slate as provided in this subsection, which shall be posted in the
2048 polling places by each moderator for the inspection of the electors
2049 prior to voting.

2050 (i) The names of candidates for nomination to any elective office or
2051 for election as members of a town committee, as the case may be, shall
2052 be separated from each other by a light line, but shall not be separated
2053 from each other on the ballot [label] by names of candidates for any
2054 other office or position or by columns used for any other office or
2055 position; and the column or columns used for each office or position
2056 shall be separated from the columns used for other offices or positions
2057 by a heavy line.

2058 (j) All ballot [labels] used at a primary shall be prepared by the clerk
2059 of the municipality in which such primary is held and shall be printed
2060 at the expense of the municipality. Each municipality shall provide for
2061 all polling places:

2062 (1) At least forty-eight hours before the primary, such clerk shall
2063 have sample ballot labels for general distribution, which shall [be
2064 arranged in the form of a diagram showing the entire front of the
2065 voting machine as it will appear after the official ballot labels are
2066 arranged for voting on the day of the primary or that portion thereof
2067 that will] contain the offices or positions and names of candidates to be
2068 voted upon. Each such sample ballot [label] shall also include printed
2069 instructions approved by the Secretary of the State concerning the use
2070 of the voting [machine] tabulator and information concerning the date
2071 of the primary and the hours during which polling places will be open.
2072 Such clerk shall have available for distribution such number of sample
2073 [ballot labels] ballots as he deems advisable, but in no event less than
2074 three which shall be posted inside the polling place so as to be visible
2075 to those within the polling place during the whole day of the primary.
2076 At least one of such sample [ballot labels] ballots shall be posted so as
2077 to be visible to an elector being instructed on the demonstrator [or
2078 spare voting machine] device, pursuant to section 9-260, as amended

2079 by this act. If paper ballots are used in any primary, such sample paper
2080 ballots shall be overprinted with the word "Sample";

2081 (2) Instructions on how to cast a provisional ballot, as prescribed by
2082 the Secretary of the State;

2083 (3) Instructions for mail-in registrants and first-time voters who
2084 register to vote by mail on or after January 1, 2003, as prescribed by the
2085 Secretary of the State;

2086 (4) General information concerning voting rights under federal and
2087 Connecticut laws, including information on the right of an individual
2088 to cast a provisional ballot and instructions on how to contact the
2089 appropriate officials if such rights are alleged to have been violated, as
2090 prescribed by the Secretary of the State; and

2091 (5) General information on federal and state laws concerning
2092 prohibitions on acts of fraud and misrepresentation, as prescribed by
2093 the Secretary of the State.

2094 (k) When unaffiliated electors are authorized under section 9-431 to
2095 vote for some but not all offices to be contested at a primary, (1)
2096 separate voting [machines] tabulators shall be used for the unaffiliated
2097 electors in a voting district, (2) the ballot label shall indicate that it is a
2098 partial ballot for unaffiliated electors, (3) the ballot [label] shall contain
2099 only the offices and names of candidates for which such electors may
2100 vote, with blank columns left wherever necessary to assure that each
2101 candidate's position is the same as on the full ballot for such primary
2102 in the voting district, and (4) three sample [ballot labels] ballots
2103 showing such partial ballot shall also be posted inside the polling place
2104 so as to be visible to such unaffiliated electors.

2105 Sec. 72. Section 9-440 of the general statutes is repealed and the
2106 following is substituted in lieu thereof (*Effective from passage*):

2107 Upon the closing of the polls at any primary held under sections 9-
2108 382 to 9-450, inclusive, the moderator, in the presence of the other

2109 officials, shall immediately lock the voting [machines] tabulators
 2110 against voting and shall then proceed to ascertain, record and
 2111 announce the result in the manner provided by law for ascertaining,
 2112 recording and announcing the result in regular elections. The election
 2113 officials shall execute certificates and returns similar to those required
 2114 in regular elections. The moderator in each town not divided into
 2115 voting districts, and the head moderator in each town divided into
 2116 voting districts, shall transmit the results of the vote for each office
 2117 contested at any such primary in the same manner and within the
 2118 same time as provided under section 9-314 in an election for such
 2119 office. The late filing fee provided under section 9-314 shall apply to
 2120 late filing of results of primaries for state or district office. In the case of
 2121 primaries for state or district offices, the Secretary of the State shall
 2122 forthwith cause to be tabulated the result of the votes cast in the
 2123 several municipalities in which such primaries have been held and
 2124 shall publicly declare the result thereof, and a certificate attesting
 2125 thereto shall be entered in his records.

2126 Sec. 73. Section 9-445 of the general statutes is repealed and the
 2127 following is substituted in lieu thereof (*Effective from passage*):

2128 Forthwith after a primary for nomination to a municipal office or for
 2129 election of members of a town committee, or forthwith upon tabulation
 2130 of the vote for a state or district office by the Secretary of the State
 2131 when the plurality of an elected or nominated candidate over the vote
 2132 for a defeated candidate receiving the next highest number of votes
 2133 was either (1) less than a vote equivalent to one-half of one per cent of
 2134 the total number of votes cast at the primary for the office or position
 2135 but not more than one thousand votes, or (2) less than twenty votes,
 2136 there shall be a recanvass of the returns of the voting [machine]
 2137 tabulator or voting [machines] tabulators used in such primary for said
 2138 office or position unless within one day after the primary, in the case of
 2139 nomination to a municipal office or for election of members of a town
 2140 committee, or prior to the time the Secretary of the State notifies the
 2141 town clerk of state and district offices which qualify for an automatic

2142 recanvass, the defeated candidate or defeated candidates, as the case
 2143 may be, for such office or position file a written statement waiving this
 2144 right to such recanvass with the municipal clerk in the case of a
 2145 municipal office or town committee, or with the Secretary of the State
 2146 in the case of a state or district office. In the case of a state or district
 2147 office, the Secretary of the State upon tabulation of the votes for such
 2148 an office shall notify the town clerks in the state or district, as the case
 2149 may be, of the state and district offices which qualify for an automatic
 2150 recanvass and shall also notify each candidate for any such office.
 2151 When a recanvass is to be held the municipal clerk shall promptly
 2152 notify the moderator, as defined in section 9-311, who shall proceed
 2153 forthwith to recanvass such returns of the office in question in the
 2154 same manner as is provided for a recanvass in regular elections, except
 2155 that the recanvass officials shall be divided equally, as nearly as may
 2156 be, among the candidates for such office. In addition to the notice
 2157 required under section 9-311, the moderator shall, before such
 2158 recanvass is made, give notice in writing of the time and place of such
 2159 recanvass to each candidate for a municipal office which qualifies for
 2160 an automatic recanvass under this section. For purposes of this section,
 2161 "the total number of votes cast at the primary for the office or position"
 2162 means in the case of multiple openings for the same office or position,
 2163 the total number of electors checked as having voted in the primary, in
 2164 the state, district, municipality or political subdivision, as the case may
 2165 be. When a recanvass of the returns for an office for which there are
 2166 multiple openings is required by the provisions of this section, the
 2167 returns for all candidates for all openings for the office shall be
 2168 recanvassed. Nothing in this section shall preclude the right to judicial
 2169 proceedings in behalf of such defeated candidate under any provision
 2170 of this chapter.

2171 Sec. 74. Section 9-446 of the general statutes is repealed and the
 2172 following is substituted in lieu thereof (*Effective from passage*):

2173 (a) If two or more candidates obtain the same number of votes at a
 2174 primary held to nominate candidates for a state or district office, and a

2175 tie vote thereby occurs, any of such candidates, or the state chairman
2176 of the political party, may apply for a recanvass of the returns in the
2177 manner provided in section 9-445. If no such application is made, or if
2178 any such recanvass results in a tie vote, such primary shall stand
2179 adjourned for three weeks at the same hour at which the first primary
2180 was held. [Ballot labels] Ballots of the same form and description as
2181 described in section 9-437 shall be used in the primary on such
2182 adjourned day, and the primary shall be conducted in the same
2183 manner as on the first day, except that the votes shall be cast for such
2184 office only. [Ballot labels] Ballots for such primary shall be provided
2185 forthwith by the clerk of each municipality wherein such primary
2186 stands adjourned, and each such clerk shall furnish the Secretary of the
2187 State with an accurate list of all candidates to be voted for at such
2188 adjourned primary. The clerk of each municipality in the state or the
2189 district, whichever is applicable, wherein such primary so stands
2190 adjourned shall, at least three days prior to the day of such adjourned
2191 primary, give notice of the day, hours, place and purpose thereof by
2192 publishing such notice in a newspaper published in such municipality
2193 or having a circulation therein. No such primary shall be held if prior
2194 to such primary all but one of the candidates for such office die,
2195 withdraw their names or for any reason become disqualified to hold
2196 such office, and, in such event, the remaining candidate shall be
2197 deemed to be lawfully voted upon as the candidate for such office. No
2198 withdrawal shall be valid until the candidate who has withdrawn has
2199 filed a letter of withdrawal signed by such candidate with the
2200 Secretary of the State. When such a primary is required to be held
2201 under the provisions of this section and prior to such primary all but
2202 one of the candidates for such office die, withdraw their names or for
2203 any reason become disqualified to hold such office, the Secretary of the
2204 State shall forthwith notify the municipal clerk of such fact, and shall
2205 forthwith direct the clerk that such primary shall not be held. In the
2206 case of a multiple-opening office only the names of those candidates
2207 whose votes are equal shall be placed on the ballot [label] of the
2208 adjourned primary. If such second primary results in a tie vote, the

2209 Secretary of the State, in the presence of not fewer than three
2210 disinterested persons, and after notification to the candidates obtaining
2211 the same number of votes and the chairperson of the state central
2212 committee of the party holding the primary of the time when and the
2213 place where such tie vote is to be dissolved, shall dissolve such tie vote
2214 by lot. The Secretary of the State shall execute a certificate attesting to
2215 the result of the dissolution of such tie vote, and the person so certified
2216 or the slate so certified as having been chosen by lot shall be deemed to
2217 have received a plurality of the votes cast and shall be deemed to have
2218 been chosen as the nominee of such party to such office.

2219 (b) If two or more candidates obtain the same number of votes at a
2220 primary held to nominate candidates for a municipal office or to elect
2221 members of a town committee, or if two or more slates of candidates
2222 obtain the same number of votes at a primary held for justices of the
2223 peace, and a tie vote thereby occurs, any of such candidates, or the
2224 town chairman of the political party, may apply for a recanvass of the
2225 returns in the manner provided in section 9-445. If no such application
2226 is made, or if any such recanvass results in a tie vote, such primary
2227 shall stand adjourned for three weeks at the same hour at which the
2228 first primary was held. [Ballot labels] Ballots of the same form and
2229 description as described in section 9-437 shall be used in the primary
2230 on such adjourned day, and the primary shall be conducted in the
2231 same manner as on the first day, except that the votes shall be cast for
2232 such office only. [Ballot labels] Ballots for such primary shall be
2233 provided forthwith by the clerk of the municipality wherein such
2234 primary stands adjourned, and such clerk shall furnish the Secretary of
2235 the State with an accurate list of all candidates to be voted for at such
2236 adjourned primary. The clerk of the municipality wherein such
2237 primary so stands adjourned shall, at least three days prior to the day
2238 of such adjourned primary, give notice of the day, hours, place and
2239 purpose thereof by publishing such notice in a newspaper published in
2240 such municipality or having a circulation therein. No such primary
2241 shall be held if prior to such primary all but one of the candidates for
2242 such office die, withdraw their names or for any reason become

2243 disqualified to hold such office, and, in such event, the remaining
 2244 candidate shall be deemed to be lawfully voted upon as the candidate
 2245 for such office. No withdrawal shall be valid until the candidate who
 2246 has withdrawn has filed a letter of withdrawal signed by such
 2247 candidate with the municipal clerk. When such a primary is required
 2248 to be held under the provisions of this section and prior to such
 2249 primary all but one of the candidates for such office die, withdraw
 2250 their names or for any reason become disqualified to hold such office,
 2251 the Secretary of the State shall forthwith notify the municipal clerk of
 2252 such fact, and shall forthwith direct the clerk that such primary shall
 2253 not be held. In the case of a multiple-opening office only the names of
 2254 those candidates whose votes are equal shall be placed on the ballot
 2255 [label] of the adjourned primary. If such second primary results in a tie
 2256 vote, the registrar, in the presence of not fewer than three disinterested
 2257 persons, and after notification to the candidates obtaining the same
 2258 number of votes and the chairperson of the town committee of the
 2259 party holding the primary of the time when and the place where such
 2260 tie vote is to be dissolved, shall dissolve such tie vote by lot. The
 2261 registrar shall execute a certificate attesting to the result of the
 2262 dissolution of such tie vote, and the person so certified or the slate so
 2263 certified as having been chosen by lot shall be deemed to have received
 2264 a plurality of the votes cast and shall be deemed to have been chosen
 2265 as the nominee of such party to such office.

2266 Sec. 75. Section 9-447 of the general statutes is repealed and the
 2267 following is substituted in lieu thereof (*Effective from passage*):

2268 The voting [machines] tabulators used in any primary shall not be
 2269 unlocked for a period of fourteen days from the date of the primary,
 2270 unless otherwise ordered by any judge of the Superior Court, the
 2271 Secretary of the State or by the State Elections Enforcement
 2272 Commission. If a contest or investigation is pending, such [machines]
 2273 tabulators shall not be unlocked for such longer period of time as may
 2274 be ordered by any judge of the Superior Court, unless a recanvass has
 2275 been applied for under the provisions of section 9-445 or unless an

2276 order has been issued by the State Elections Enforcement Commission.

2277 Sec. 76. Section 9-453d of the general statutes is repealed and the
2278 following is substituted in lieu thereof (*Effective from passage*):

2279 Each petition shall be signed by a number of qualified electors equal
2280 to the lesser of (1) one per cent of the votes cast for the same office or
2281 offices at the last-preceding election, or the number of qualified
2282 electors prescribed by section 9-380 with regard to newly-created
2283 offices, or (2) seven thousand five hundred. "Qualified electors" means
2284 electors eligible to vote for all the candidates proposed by the petition.
2285 "Votes cast for the same office at the last-preceding election" means, in
2286 the case of multiple openings for the same office, the total number of
2287 electors checked as having voted at the last-preceding election at
2288 which such office appeared on the ballot. [label.]

2289 Sec. 77. Subsection (b) of section 9-453r of the general statutes is
2290 repealed and the following is substituted in lieu thereof (*Effective from*
2291 *passage*):

2292 (b) On the horizontal rows below the rows so used for candidates, if
2293 any, who are so entitled to a party designation on the [voting
2294 machines] ballot, shall be placed, in the appropriate office columns, the
2295 names of candidates contained in petitions approved pursuant to
2296 section 9-453o bearing no party designation. Such candidates shall not
2297 be entitled to separate rows. Precedence as to horizontal row between
2298 or among such candidates shall be determined, if necessary, by the
2299 order in which their applications for petitions were filed with the
2300 Secretary of the State from the earliest to the latest; provided that
2301 within any such horizontal row the names of as many of such
2302 candidates for the same multiple-opening office as such row will
2303 accommodate shall be placed before placing the names of other such
2304 candidates for such office on the next such row. The order of the names
2305 of such candidates for the same multiple-opening office, within and
2306 between any such horizontal rows, shall be determined by the
2307 registrars of voters by lot in a ceremony which shall be open to the

2308 public. The registrars of voters shall provide at least five days public
2309 notice for each such ceremony. Each row in which a candidate's name
2310 appears who is not entitled to a party designation shall be labeled
2311 "Petitioning Candidates", the print of which shall correspond to that
2312 used for party designations.

2313 Sec. 78. Section 9-453s of the general statutes is repealed and the
2314 following is substituted in lieu thereof (*Effective from passage*):

2315 Vacancies in candidacies occurring after all nominating petitions
2316 have been approved under section 9-453o, shall not cause the position
2317 of any candidate's name on the ballot [label] to be changed to another
2318 position unless a blank row on the [machine] ballot results from such
2319 vacancy or vacancies in which case the position of candidates
2320 appearing on lines under the blank row may change if the consent of
2321 all candidates involved in such a change is filed in the Secretary of the
2322 State's office prior to the time for printing and filing sample [ballot
2323 labels] ballots with said secretary. The name of any candidate whose
2324 candidacy has been vacated shall not appear on the ballot. [label. The
2325 voting machine pointer over each position where no candidate's name
2326 appears shall be locked so that no vote can be cast in that position.]

2327 Sec. 79. Section 9-470 of the general statutes is repealed and the
2328 following is substituted in lieu thereof (*Effective from passage*):

2329 The secretary shall determine by lot, in a public ceremony held on
2330 the thirty-fifth day preceding the day of the primary, the order in
2331 which the names of the candidates will appear on the ballot of each
2332 party at such primary; provided that the category "uncommitted" shall
2333 appear last on such ballots. Notwithstanding any provision of the
2334 general statutes to the contrary, no candidate shall be designated on
2335 the ballot as the party-endorsed candidate. The names of such
2336 candidates shall appear, in the order so determined by the secretary, in
2337 the first vertical column of the [voting machine] ballot. Such column
2338 shall be designated "Nomination for President of the United States";
2339 provided if the number of candidates is such that there is an

2340 insufficient number of places in such column, the secretary shall
2341 determine whether the names of the candidates shall also extend, in
2342 the order so determined, to the second and succeeding columns as
2343 may be necessary, or shall appear on the first and succeeding
2344 horizontal rows as may be necessary. Such columns or rows shall be
2345 designated as hereinabove provided. Except as otherwise provided in
2346 this chapter, the form of the ballot shall be prescribed by the secretary
2347 and shall conform, as nearly as may be, to the provisions of section 9-
2348 437.

2349 Sec. 80. Section 9-476 of the general statutes is repealed and the
2350 following is substituted in lieu thereof (*Effective from passage*):

2351 Except as otherwise provided in this chapter, the provisions of
2352 chapter 145 and chapter 153 concerning absentee voting at primaries,
2353 conduct of primaries and return and tabulation of the vote at such
2354 primaries shall apply as nearly as practicable and in the manner
2355 prescribed by the secretary, to a presidential preference primary. The
2356 primary officials of each party for each polling place shall be as
2357 specified in section 9-436, except that (1) the appointment of assistant
2358 registrars of voters and absentee ballot counters shall be permitted but
2359 not required, (2) the minimum number of official checkers shall be one,
2360 (3) the minimum number of voting [machine] tabulator tenders shall
2361 be one for each two voting [machines] tabulators in use, (4) if two
2362 parties are holding primaries and the registrars of voters of such
2363 parties so agree, such registrars may jointly appoint (A) one enrolled
2364 member of either party to serve as moderator of both primaries and (B)
2365 one enrolled member of either party to serve as head moderator of
2366 both primaries, (5) notwithstanding any reduction in the number of
2367 primary officials as permitted by this section, any duty required of
2368 primary officials by the general statutes may be performed by one or
2369 more primary officials, at the direction of the registrar of voters of the
2370 party of such officials and (6) the registrar of voters shall have the sole
2371 power to appoint such officials. In making such appointments the
2372 registrar shall attempt, to the extent practicable, to provide

2373 representation for each candidate at each polling place. The provisions
 2374 of section 9-436a shall apply to each candidate whose name appears on
 2375 the ballot, except that each such candidate, through his authorized or
 2376 known representative, may submit to the registrar the name of one
 2377 designee as candidate checker for each polling place, and the registrar
 2378 shall appoint such designee as candidate checker for such candidate.
 2379 Notwithstanding the provisions of section 9-438, the polls shall be
 2380 open for voting at the primary between the hours of six o'clock a.m.
 2381 and eight o'clock p.m. The moderator or head moderator of the
 2382 primary in each town shall prepare duplicate lists of returns in the
 2383 manner provided by section 9-440, but notwithstanding the provisions
 2384 of said section, he shall hand deliver one of such lists to either the
 2385 secretary or the state police by two o'clock p.m. of the day following
 2386 the primary. Any moderator or head moderator, as the case may be,
 2387 who fails to deliver such list to either the secretary or the state police
 2388 by such time shall pay a late filing fee of fifty dollars.

2389 Sec. 81. Sections 9-6a, 9-242a, 9-243, 9-270, 9-271 and 9-273 to 9-306,
 2390 inclusive, of the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-1
Sec. 2	<i>from passage</i>	9-4
Sec. 3	<i>from passage</i>	9-7b(a)(1)
Sec. 4	<i>from passage</i>	9-35c
Sec. 5	<i>from passage</i>	9-135a(a)
Sec. 6	<i>from passage</i>	9-135b(a)
Sec. 7	<i>from passage</i>	9-150b(b) and (c)
Sec. 8	<i>from passage</i>	9-150d
Sec. 9	<i>from passage</i>	9-168a(a) and (b)
Sec. 10	<i>from passage</i>	9-188
Sec. 11	<i>from passage</i>	9-224
Sec. 12	<i>from passage</i>	9-229(b)
Sec. 13	<i>from passage</i>	9-234
Sec. 14	<i>from passage</i>	9-235(b)

Sec. 15	<i>from passage</i>	9-235d
Sec. 16	<i>from passage</i>	9-236a
Sec. 17	<i>from passage</i>	9-238
Sec. 18	<i>from passage</i>	9-238a
Sec. 19	<i>from passage</i>	9-239
Sec. 20	<i>from passage</i>	9-240
Sec. 21	<i>from passage</i>	9-240a
Sec. 22	<i>from passage</i>	9-241(a)
Sec. 23	<i>from passage</i>	9-242
Sec. 24	<i>from passage</i>	9-242b
Sec. 25	<i>from passage</i>	9-244
Sec. 26	<i>from passage</i>	9-245
Sec. 27	<i>from passage</i>	9-246
Sec. 28	<i>from passage</i>	9-247
Sec. 29	<i>from passage</i>	9-248
Sec. 30	<i>from passage</i>	9-249(a)
Sec. 31	<i>from passage</i>	9-249a(a)
Sec. 32	<i>from passage</i>	9-249b(a)
Sec. 33	<i>from passage</i>	9-250a
Sec. 34	<i>from passage</i>	9-251
Sec. 35	<i>from passage</i>	9-255
Sec. 36	<i>from passage</i>	9-256
Sec. 37	<i>from passage</i>	9-260
Sec. 38	<i>from passage</i>	9-264
Sec. 39	<i>from passage</i>	9-266
Sec. 40	<i>from passage</i>	9-267
Sec. 41	<i>from passage</i>	9-272
Sec. 42	<i>from passage</i>	9-307
Sec. 43	<i>from passage</i>	9-308
Sec. 44	<i>from passage</i>	9-309
Sec. 45	<i>from passage</i>	9-310
Sec. 46	<i>from passage</i>	9-311a
Sec. 47	<i>from passage</i>	9-323
Sec. 48	<i>from passage</i>	9-324
Sec. 49	<i>from passage</i>	9-328
Sec. 50	<i>from passage</i>	9-329a(b)
Sec. 51	<i>from passage</i>	9-329b
Sec. 52	<i>from passage</i>	9-330
Sec. 53	<i>from passage</i>	9-332
Sec. 54	<i>from passage</i>	9-352

Sec. 55	<i>from passage</i>	9-353
Sec. 56	<i>from passage</i>	9-354
Sec. 57	<i>from passage</i>	9-363
Sec. 58	<i>from passage</i>	9-366
Sec. 59	<i>from passage</i>	9-367
Sec. 60	<i>from passage</i>	9-369
Sec. 61	<i>from passage</i>	9-369a(b) and (c)
Sec. 62	<i>from passage</i>	9-369c(c)
Sec. 63	<i>from passage</i>	9-369d(b)
Sec. 64	<i>from passage</i>	9-371b
Sec. 65	<i>from passage</i>	9-372(15)
Sec. 66	<i>from passage</i>	9-377
Sec. 67	<i>from passage</i>	9-400(a)
Sec. 68	<i>from passage</i>	9-426
Sec. 69	<i>from passage</i>	9-434
Sec. 70	<i>from passage</i>	9-435
Sec. 71	<i>from passage</i>	9-437
Sec. 72	<i>from passage</i>	9-440
Sec. 73	<i>from passage</i>	9-445
Sec. 74	<i>from passage</i>	9-446
Sec. 75	<i>from passage</i>	9-447
Sec. 76	<i>from passage</i>	9-453d
Sec. 77	<i>from passage</i>	9-453r(b)
Sec. 78	<i>from passage</i>	9-453s
Sec. 79	<i>from passage</i>	9-470
Sec. 80	<i>from passage</i>	9-476
Sec. 81	<i>from passage</i>	Repealer section

Statement of Purpose:

To make technical revisions to the elections related statutes which reflect the use of new voting technology.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]